

Schock, Aaron

October 6, 2011

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

----- -X

COMMITTEE FOR A FAIR AND BALANCED :  
MAP, JUDY BIGGERT, ROBERT J. DOLD, :  
RANDY HULTGREN, ADAM KINZINGER, :  
DONALD MANZULLO, PETER J. ROSKAM, :  
BOBBY SCHILLING, AARON SCHOCK, :  
JOHN M. SHIMKUS, JOE WALSH, RALPH :  
RANGEL, LOU SANDOVAL, LUIS : Case No. 1:11-cv-05065  
SANABRIA, MICHELLE CABALLERO, :  
EDMUND BREZINSKI, and :  
LAURA WAXWEILER, :  
Plaintiffs, :  
v. :  
ILLINOIS STATE BOARD OF ELECTIONS, :  
WILLIAM M. MCGUFFAGE, :  
JESSE R. SMART, BRYAN A. SCHNEIDER, :  
BETTY J. COFFRIN, HAROLD D. BYERS, :  
JUDITH C. RICE, CHARLES W. SCHOLZ, :  
and ERNEST L. GOWEN, :  
Defendants. :  
-----

Washington, D.C.  
Thursday, October 6, 2011

Videoconference Deposition of AARON  
SCHOCK, a witness herein, called for examination by  
counsel for Defendants, in the above-entitled matter,  
pursuant to notice, the witness being duly sworn by

SUSAN L. CIMINELLI, a Notary Public in and for the District of Columbia, taken at the offices of Mayer Brown, LLP, 1999 K Street, N.W., Washington, D.C., at 3:36 p.m., and the proceedings being taken down by Stenotype by SUSAN L. CIMINELLI, CRR, RPR.

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1	APPEARANCES:	
2		
3	On behalf of the Plaintiffs:	
4	THOMAS V. PANOFF, ESQ.	
5	GRETCHEN HELFRICH, ESQ. (Via video)	
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1 talking over one other. Okay?	1 you Googled me.
2 A. Fair enough.	2 Q. Actually, well --
3 Q. Congressman, let me just get some general	3 A. I can do this. 2001, I served on the
4 background information, if I could, please. Tell me,	4 school board for four years. So that would have put
5 have you ever given a deposition before?	5 it at 2005. In 2004, I was elected to the state
6 A. Not that I'm aware of. No.	6 legislature and I served coterminously as the school
7 Q. It would be --	7 board president and as an Illinois state legislator
8 A. Yeah. I don't -- not like this. If I've	8 from January of 2005 until I stepped down as the
9 ever been deposed, I don't know it. No. I've not.	9 school board president in July of 2005.
10 Q. And what about trial testimony. Have you	10 I continued serving as the State
11 ever given any trial testimony of any type?	11 Representative for that term, was re-elected and
12 A. The only -- the only courtroom that I can	12 served, you know, again elected as a State Rep. in
13 recall being in was in a small claims court a long	13 2004, sworn in as a State Rep. in 2005, served four
14 time ago when I was 18. So I don't remember anything	14 years until my election to Congress in 2008 when I
15 other than -- I've done my best to stay out of court.	15 was sworn in in 2009. I had to step down, resign as
16 Q. Well, in this case, you chose to walk into	16 a State Representative two weeks early to begin my
17 court, so that's -- that's why we are here today. So	17 U.S. Congress term in January of 2009.
18 Congressman, I'm not asking your specific home	18 Q. And have you made any public announcement
19 address, but you're currently residing where, in	19 as to what your intent is in the future with respect
20 Peoria?	20 to running for public office as of today's date?
21 A. Peoria, Illinois.	21 A. Yes. I'm running for Congress in the 18th
22 Q. Okay. And your address where you	22 Congressional District. The 18th Congressional
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1 currently reside, do you plan on staying at that	1 District is the district I represent today. It is
2 address for the next two years?	2 the district that -- I mean, no matter what happens,
3 A. Yes. I have no plans.	3 I will be a candidate in the 18th Congressional
4 Q. Or do you plan --	4 District because under the map that was presented as
5 A. I have no plans to move.	5 a more fair and balanced map, it's considered the
6 Q. Okay. And is that home that you're living	6 18th Congressional District. Under the map that the
7 in today, is that home currently located in the new	7 Democrat legislature passed, it's considered the 18th
8 18th Congressional District that was passed in	8 Congressional District where I live. So in either
9 Springfield?	9 case, I would circulate petitions and run in the 18th
10 A. Yes.	10 Congressional District.
11 Q. Okay. And you currently live in the old	11 Q. Now, the map that was passed into law by
12 18th Congressional District, is that correct?	12 the Illinois legislature and signed by the Governor
13 A. Correct. Yes.	13 with respect to that map, does that 18th
14 Q. Okay. Let me just quickly go through some	14 Congressional District place you with any other
15 background. Your first elected office was what, sir?	15 current sitting United States Congressmen or
16 A. To the Peoria School Board.	16 Congresswomen?
17 Q. Okay.	17 A. No.
18 A. The Peoria Board of Education.	18 Q. Has any current United States Congressman
19 Q. You did that from what period of time to	19 publicly announced that they would vote -- or strike
20 what period of time?	20 that. Has any current United States Congressman
21 A. I was a candidate in 2000. I was elected	21 indicated that they would be running against you in
22 in 2001. But you probably should have all this if	22 the 18th Congressional District?

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<p>1       A. No.</p> <p>2            MR. PANOFF: Objection. Foundation.</p> <p>3            BY MR. BRUCE:</p> <p>4            Q. Yes. I think I said if there was a public</p> <p>5            announcement. You're not aware, Congressman of any</p> <p>6            public announcement by any sitting United States</p> <p>7            Congressman that has indicated that they will be</p> <p>8            running against you, is that true?</p> <p>9            A. No. I'm not aware of anyone who is a</p> <p>10           United States Congressman announcing that they are</p> <p>11           going to run against me in the 18th Congressional</p> <p>12           District.</p> <p>13           Q. Congressman, did you have any involvement</p> <p>14           at all in drawing the congressional district map that</p> <p>15           was passed into law in Springfield?</p> <p>16           MR. PANOFF: Object to the form. Go ahead</p> <p>17           and answer.</p> <p>18           THE WITNESS: No.</p> <p>19           BY MR. BRUCE:</p> <p>20           Q. At any time during the redistricting</p> <p>21           process, did you speak to any Illinois state</p> <p>22           legislator regarding the congressional map that was</p>	<p>1       my -- about the map. About my district, what perhaps</p> <p>2       could happen.</p> <p>3           But again, no specific -- nothing</p> <p>4           specific, I would say, with anyone of authority that</p> <p>5           would be drawing the lines.</p> <p>6           Q. Did you know -- well, strike that. Do you</p> <p>7           know whether there were any Republican State</p> <p>8           Representatives that were on the House, Illinois</p> <p>9           House Redistricting Committee?</p> <p>10           A. I don't know that. I actually don't know.</p> <p>11           I mean, I think they had a -- I don't know.</p> <p>12           Q. Okay. Do you know whether there were any</p> <p>13           Republican Senate members of the Illinois State</p> <p>14           Senate Redistricting Committee, do you know one way</p> <p>15           or the other?</p> <p>16           A. If I were pressed to answer, I would say</p> <p>17           that I think they had Republicans and Democrats on a</p> <p>18           committee. My view of that was that that committee</p> <p>19           really didn't do much other than have hearings</p> <p>20           because at the end of the day, they were having</p> <p>21           hearings all through May. I think they maybe had one</p> <p>22           in Peoria. I remember reading one in my local</p>
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<p>1       passed into law?</p> <p>2       A. Well, any Illinois legislator? Obviously</p> <p>3       after the election in November of last year when it</p> <p>4       became apparent who was going to control the House,</p> <p>5       the Senate and the Governorship, there was a lot of</p> <p>6       speculation among members of Congress, as well as</p> <p>7       State Reps. and State Senators as to what a</p> <p>8       Democratic House, Senate and Governor would do in</p> <p>9       terms of drawing a map.</p> <p>10       So I know that I had multiple</p> <p>11       conversations with people who are in the state</p> <p>12       legislature about the map process. But if you're</p> <p>13       speaking, did I -- was I privy to any insider</p> <p>14       discussion or people who were actually drawing the</p> <p>15       map, the answer would be no.</p> <p>16       But as a member of Congress, I interact</p> <p>17       with the roughly seven or eight State Representatives</p> <p>18       roughly four State Senators who make up my</p> <p>19       congressional district on at least a monthly basis,</p> <p>20       meetings in my office when we are talking about</p> <p>21       projects and issues relative to my district. And so</p> <p>22       I would have conversations with them obviously about</p>	<p>1       newspaper, they had one near me.</p> <p>2           And -- but in the same time, I continued</p> <p>3           to hear from my colleagues in the legislature that</p> <p>4           the map was being drawn, and shortly thereafter at</p> <p>5           the end of May, the map came out and there were</p> <p>6           promised hearings where public comment would be able</p> <p>7           to be made once the map was released and that never</p> <p>8           came to fruition.</p> <p>9           So I don't remember who was on the</p> <p>10           committee or I want to say Kwame Raoul was the</p> <p>11           chairman of the Senate committee maybe or something.</p> <p>12           I know him because I served with him. He took</p> <p>13           President Obama's seat in the statehouse, or in the</p> <p>14           State Senate, but I can't give you any names of</p> <p>15           anybody on those committees. I never attended any of</p> <p>16           their hearings and that's all I know.</p> <p>17           Q. Based on that answer, I've got a follow-up</p> <p>18           up on a couple of points. First of all, I think we</p> <p>19           digressed. I was just asking you whether or not you</p> <p>20           were aware of any Republicans on the State Senate</p> <p>21           Redistricting Committee. And from what I understand,</p> <p>22           you're saying, you don't know of any?</p>

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<p>1       A. No.</p> <p>2       Q. Is that correct?</p> <p>3       A. No.</p> <p>4       Q. Okay. Did you ever -- strike that. Did</p> <p>5       you have any conversations that you can recall having</p> <p>6       with any members of the Illinois legislators who were</p> <p>7       on the state redistricting committees, whether it be</p> <p>8       the House or the Senate?</p> <p>9       <b>A. Well, since I can't tell you who was on</b></p> <p>10      <b>the committee, I can't tell you whether I had any</b></p> <p>11      <b>conversations with them. But if I talked to any</b></p> <p>12      <b>State Representative or State Senator about this</b></p> <p>13      <b>whole process, I never knew they were on the state</b></p> <p>14      <b>committee.</b></p> <p>15       Q. I understand. And I think you answered</p> <p>16       the question. You were aware that there were State</p> <p>17       Redistricting Committee meetings being held within</p> <p>18       your congressional district while the process was</p> <p>19       ensuing, is that true?</p> <p>20       MR. PANOFF: Objection. Mischaracterizes</p> <p>21       testimony.</p> <p>22       MR. BRUCE: Wait a minute. I'm sorry.</p>	<p>1       my newspapers, and I do remember reading one of the</p> <p>2       stories in the paper about a redistricting hearing</p> <p>3       taking place somewhere in my district. And I think</p> <p>4       it was in Peoria. If it wasn't in Peoria, it would</p> <p>5       have been in East Peoria, Pekin, somewhere that the</p> <p>6       Peoria Journal Star would have covered it, but that's</p> <p>7       what I recall.</p> <p>8       BY MR. BRUCE:</p> <p>9       Q. Were you aware one way or the other</p> <p>10      whether there were any websites for the House --</p> <p>11      Illinois House Redistricting Committee?</p> <p>12       A. No.</p> <p>13       Q. Were you aware one way or the other</p> <p>14      whether there was any websites for the Illinois State</p> <p>15      Senate Redistricting Committee?</p> <p>16       A. No.</p> <p>17       Q. Suffice it to say, Congressman, you did</p> <p>18       not personally attend any Illinois Redistricting</p> <p>19       Committee meetings, is that true?</p> <p>20       A. Correct.</p> <p>21       Q. And did you ever at any time send any</p> <p>22       representative or counsel to any Illinois</p>
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<p>1       Your lawyer objected, so I have to rephrase the</p> <p>2       question.</p> <p>3       BY MR. BRUCE:</p> <p>4       Q. I thought I heard you say that you read in</p> <p>5       the newspaper that there was a Redistricting</p> <p>6       Committee meeting in Peoria. Is that true?</p> <p>7       MR. PANOFF: I believe he testified he</p> <p>8       thought that there might have been, but feel free to</p> <p>9       ask your question.</p> <p>10       BY MR. BRUCE:</p> <p>11       Q. The record speaks for itself. You can</p> <p>12       answer, Congressman.</p> <p>13       MR. PANOFF: Let's read back the question,</p> <p>14       please.</p> <p>15       THE REPORTER: "Question: I thought I</p> <p>16       heard you say that you read in the newspaper that</p> <p>17       there was a Redistricting Committee meeting in</p> <p>18       Peoria. Is that true?"</p> <p>19       THE WITNESS: I was not aware of the</p> <p>20       meetings until they took place. I mean, I did not</p> <p>21       get an invitation. I did not read a formal notice.</p> <p>22       I get clips out here as a member of Congress from all</p>	<p>1       Redistricting Committee meetings?</p> <p>2       A. No.</p> <p>3       Q. When did you first hire counsel with</p> <p>4       respect to any issue concerning the redistricting of</p> <p>5       the Congressional map?</p> <p>6       <b>A. It would have been late last year, early</b></p> <p>7       <b>this year. I'm not -- do not recall the specific</b></p> <p>8       <b>date.</b></p> <p>9       Q. Can you tell me the month?</p> <p>10       A. Late, I mean December, January.</p> <p>11       Q. Either December 2010 or January 2011 is</p> <p>12       your best recollection as to when you first hired</p> <p>13       counsel with respect to redistricting? Is that true?</p> <p>14       A. Correct. Yes.</p> <p>15       Q. And what was the -- what was the name of</p> <p>16       the lawyer that you hired or lawyers?</p> <p>17       A. Mayer Brown.</p> <p>18       Q. And can you tell me the name of the lawyer</p> <p>19       that you dealt with in December of 2010 and January</p> <p>20       2011?</p> <p>21       MR. PANOFF: He is only asking for the</p> <p>22       name, to the extent you remember.</p>

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<p>1           THE WITNESS: Well, I don't -- I mean, I    2    don't even know. I mean, I don't -- I don't know who    3    we -- I mean, Tom. I don't know if -- you know,    4    we've had what, a couple of attorneys that have    5    worked with us. So I mean, it wasn't like there was    6    a formal --</p> <p>7           MR. PANOFF: I'll caution you not to    8    divulge any of the content of any of the discussions.    9    He is just asking you if you remember any of the    10   names of the attorneys you met with. If you don't,    11   you don't. If you do, tell him.</p> <p>12          THE WITNESS: Well, Ty Fahner is one that    13   I probably talked to the most at the beginning    14   because -- so I would say Ty Fahner.</p> <p>15          BY MR. BRUCE:</p> <p>16          Q. Okay. And did any lawyer on your behalf    17   at any time submit any proposals, drafts, suggestions    18   or input to the Illinois redistricting committees    19   that were drawing the map?</p> <p>20          MR. PANOFF: That can be answered yes or    21   no, to the best of your knowledge.</p> <p>22          THE WITNESS: To the best of my knowledge,</p>	<p>1           prior testimony.</p> <p>2           THE WITNESS: I'm not aware of any    3    opportunity for my legal representation to submit an    4    alternative map prior to the legislature acting.</p> <p>5           BY MR. BRUCE:</p> <p>6          Q. Okay. That wasn't my question, though.</p> <p>7          Did you -- did you understand that the Illinois    8    legislature was in the process of redrawing    9    congressional district lines?</p> <p>10         A. Yes.</p> <p>11         Q. And you knew that before the map was    12   passed into law, true?</p> <p>13         A. Correct.</p> <p>14         Q. Did you ever yourself make any effort to    15   appear before any of the committees that were drawing    16   the map?</p> <p>17         MR. PANOFF: Are you asking whether he did    18   personally or through his attorneys?</p> <p>19         MR. BRUCE: I think my question is very    20   clear. Ma'am, can I have it back, please?</p> <p>21         THE REPORTER: "Question: Did you ever    22   yourself make any effort to appear before any of the</p>
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<p>1    no.</p> <p>2          BY MR. BRUCE:</p> <p>3          Q. And there was nothing precluding your    4    lawyers from providing suggestions or draft maps or    5    any input, to your knowledge, is that true?</p> <p>6          MR. PANOFF: Object to the form. Again,    7    to the extent you know.</p> <p>8          THE WITNESS: I would have no knowledge    9    because as I mentioned earlier in my testimony, I'm    10   not familiar with this process that you speak of that    11   took place until I read about a meeting that took    12   place in my district after the fact. So I'm not    13   familiar with --</p> <p>14          BY MR. BRUCE:</p> <p>15          Q. I'm sorry. I didn't mean to interrupt    16   you, Congressman. Go ahead.</p> <p>17         A. No. That's it.</p> <p>18          Q. Okay. Well, are you suggesting that you    19   did not know that the Illinois legislature was going    20   through a process to redraw, among other things, the    21   Congressional map before it was actually drawn?</p> <p>22          MR. PANOFF: Objection. Mischaracterizes</p>	<p>1    committees that were drawing the map?"</p> <p>2          MR. PANOFF: Object to the form. And to    3    the extent it's calling for anything regarding the    4    conduct of attorneys, I'll instruct you not to answer    5    as to the conduct of attorneys and communications    6    with the attorneys.</p> <p>7          THE WITNESS: No. I did not.</p> <p>8          BY MR. BRUCE:</p> <p>9          Q. All right. Well, your lawyer has now    10   brought up an excellent point. So now that he has,    11   I'm glad that he has, and we'll get into it. Did    12   Mayer Brown &amp; Platt ever appear at any time at any of    13   the redistricting committee meetings on your behalf?</p> <p>14          MR. PANOFF: Object to the form.</p> <p>15          Foundation. Calls for speculation. To the extent    16   you know, feel free to answer.</p> <p>17          THE WITNESS: Not that I'm aware.</p> <p>18          BY MR. BRUCE:</p> <p>19          Q. All right. Did Mayer Brown &amp; Platt ever    20   forward any maps to the Illinois Redistricting    21   Committee on your behalf, to your knowledge?</p> <p>22          MR. PANOFF: Object to the form.</p>

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1 Foundation. Calls for speculation. 2 THE WITNESS: Not that I'm aware of. 3 BY MR. BRUCE: 4 Q. Yeah. I don't want you to speculate on 5 any of this. I would believe that as a sitting U.S. 6 Congressman, if some law firm on your behalf sent a 7 map to Springfield, that you would be aware of it. 8 That's why I'm asking you. That wasn't done? 9 MR. PANOFF: That was a nice speech, but 10 let's stick to asking questions. If you have a 11 question, ask your question. 12 MR. BRUCE: Tom, you keep interrupting me. 13 Because of your objections, I'm having to ask 14 follow-up questions and frankly, I don't think that 15 your objections are meritorious, but we'll keep going 16 and try to get through this. 17 MR. PANOFF: They have been perfectly 18 appropriate objections to inappropriate questions. 19 If you have appropriate questions, feel free to ask 20 them. 21 BY MR. BRUCE: 22 Q. All right. Congressman, are you aware of	1 with the form? 2 MR. PANOFF: It's vague. 3 MR. BRUCE: Can I have the question back, 4 madam court reporter? 5 THE REPORTER: "Question: Did you ever 6 yourself make any inquiry to determine whether or not 7 you could provide input to the Illinois Redistricting 8 Committee as to how the Congressional lines were 9 going to be drawn?" 10 BY MR. BRUCE: 11 Q. Congressman, do you understand that 12 question? 13 A. Well, I do, but if I can say, how do I 14 inquire into a process that I'm not aware of? 15 Q. Could you have called Springfield and 16 asked or looked on the Internet as to what the 17 process was? 18 MR. PANOFF: Object to the form. 19 THE WITNESS: Well, sure, I could have, 20 but I've already stated clearly earlier that I wasn't 21 aware of this process. So if you ask me a hundred 22 questions about specifics of the process, I'm going
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1 anyone on your behalf that appeared and offered any 2 input on any Illinois Redistricting Committee? 3 MR. PANOFF: Object to the form. 4 THE WITNESS: I am not aware of anyone 5 doing that. 6 BY MR. BRUCE: 7 Q. Are you aware of any rule, regulation or 8 guideline of the Illinois Redistricting Committees 9 that would have barred your representatives from 10 providing input to the redistricting process? 11 MR. PANOFF: Object to the form. 12 THE WITNESS: As -- I'm not aware of it. 13 I'm not, as I mentioned, I am not aware of this whole 14 -- I'm not aware of any of the rules or guidelines or 15 process to this, so you know -- the answer is no. 16 BY MR. BRUCE: 17 Q. Did you ever yourself make any inquiry to 18 determine whether or not you could provide input to 19 the Illinois Redistricting Committee as to how the 20 Congressional lines were going to be drawn? 21 MR. PANOFF: Object to the form. 22 MR. BRUCE: I'm sorry, Tom, what's wrong	1 to have to tell you I'm not aware of anything or 2 having done anything, because I'm not familiar with 3 the process. 4 So I guess -- I mean, I'm trying to be 5 helpful here, but no, I'm not aware of anyone doing 6 anything on my behalf in that process. I didn't do 7 anything in that process, because I was not aware of 8 that process. Period. 9 BY MR. BRUCE: 10 Q. Congressman, were you aware that the 11 Illinois legislature was going through a process to 12 redraw the congressional district lines before the 13 map was passed into law? 14 A. No. I mean, I knew that the legislature 15 had to draw maps. Okay. But as to what their 16 process internally was going to be to do that, I was 17 not privy to it. 18 Q. Fair enough. And you didn't make any 19 inquiry to determine how they were going to do it? 20 Is that fair? 21 A. That's -- yes. 22 Q. Okay. Now, I think I understood your

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<p>1 previous testimony with respect to conversations with  2 legislators, and I'm going to try and ask some broad  3 questions so that we can move on to the next topic.  4 If I heard you correctly, you did have conversations  5 during the time period the map process was being  6 developed with Illinois legislators, but nothing  7 specific that you can recall as you sit here today.  8 Is that true?</p> <p>9     <b>A. Correct.</b></p> <p>10     MR. PANOFF: Object to the form.</p> <p>11     BY MR. BRUCE:</p> <p>12     Q. Well, because your lawyer objected, I have  13 to ask a follow-up question. Can you recall any  14 specific conversations that you've had with any  15 Illinois legislator during the time period that the  16 Illinois legislature was in the process of redrawing  17 the congressional district lines about the  18 redistricting process?</p> <p>19     <b>A. No.</b></p> <p>20     Q. Am I correct, Congressman, that you have  21 no firsthand knowledge as to the reasons why the  22 congressional district map that was passed into law</p>	<p>1 Springfield because it's in my congressional district  2 and I was at the Capitol, and it was at a time period  3 when the -- it was in May of 2011. And the  4 legislature had -- apparently the Speaker's office,  5 Mike Madigan's office had, I guess, settled their map  6 and they were calling in individual State  7 Representatives to show them their portion of the  8 newly drawn State House map.</p> <p>9     And I was on the floor of the State House  10 talking to my former colleagues and every once in a  11 while one would get a phone call on their cell phone  12 asking them to come up to the Speaker's office. And  13 they were getting to see their new map.</p> <p>14     And the joke was the only people getting  15 called were the ones with really good State House  16 districts. And so when they would get called by the  17 Speaker's office, they would kind of get excited to  18 go into the Speaker's office to see their new map.</p> <p>19     And my understanding was Tim Mapes, the  20 Speaker's chief of staff was the one showing them the  21 map. So I decided to go to the Speaker's office to  22 see perhaps if he had my map. I know Tim Mapes very</p>
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<p>1 was drawn?</p> <p>2     MR. PANOFF: Object to the form.</p> <p>3     THE WITNESS: Who would -- let me ask you  4 this. Who would be firsthand knowledge? I mean, me  5 and the person with the pen? Me -- I mean, what's --  6 help me understand what firsthand knowledge is.</p> <p>7     BY MR. BRUCE:</p> <p>8     Q. Sure. I can help you out. Do you know  9 who drew the map?</p> <p>10     MR. PANOFF: You're referring to the map  11 enacted into law?</p> <p>12     MR. BRUCE: Yes, Tom -- I'll agree with  13 that.</p> <p>14     THE WITNESS: I don't know who  15 specifically drew the map. No.</p> <p>16     BY MR. BRUCE:</p> <p>17     Q. Okay. Do you know anyone that was  18 involved in the map making process?</p> <p>19     <b>A. Absolutely. We -- I guess my assumption  20 is the legislative -- I mean -- the only conversation  21 I had relative to the map process was with Michael  22 Madigan's chief of staff, Tim Mapes. And I was in</b></p>	<p>1 well. Have a good relationship with him. And did it  2 more as a joke, knowing that even if he had it, he  3 probably wouldn't show it to me, but I went to the  4 Speaker's office, told the receptionist that I was  5 there to see Mr. Mapes, that he had called me and  6 asked me to come in to see the map.</p> <p>7     And they looked a little puzzled and said,  8 well, let me check. And then they invited me back  9 and, you know, he said, oh, what honor do I have to  10 have you come in, what do you need. And I said,  11 well, I understand you're passing out maps, I'd like  12 to get mine.</p> <p>13     And he just kind of laughed and said, you  14 know that I'm not drawing your map. And I said,  15 well, come on, you know who's got the map. And -- or  16 you've got to have a copy of the map. And he said,  17 no, he said we are leaving that up to President  18 Cullerton and Steve Israel with the DCCC.</p> <p>19     And so I -- we chatted a little bit more  20 and then I left. But you know, I did not have a  21 conversations with any other legislator that I would  22 consider that close to the time at which the map came</p>

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<p>1 out before it did.</p> <p>2 And then the only other legislator I spoke with was after the map came out, or actually I think the day that it was coming out, the Senate President, John Cullerton, called me and basically just gave me a heads up that he said, you know, something to the effect of, look, Aaron, you know, we've decided that we are not going to beat you.</p> <p>9 So we are not going to waste our Democrat voters on you, and congratulations, we are giving you the most Republican district in the state. And I said, well, I suppose I should say thank you and he said, well, I was hoping you'd say something kind about it, the map.</p> <p>15 And I said, well, having not seen the map, I'm assuming that if you -- if you've made my district really good, you've probably, you know, really done a doozy on my colleagues. And you know, I'll want to see what this map looks like. But you know -- so those are the two conversations I've had, I think of any significance with anyone other than casual conversations with individual legislators.</p>	<p>1 any inside information, but only hearing what the reporters were writing about what people were speculating would happen in the map, the redistricting process, the speculation was that Peoria was going to be divided for the first time in 30 years.</p> <p>7 And being from Peoria, that's where I've grown up, that's where I live, I think I may have said something like, you know, well, what happened to Peoria. And -- but he -- and he basically said something about, well, you live -- don't worry, you live in the district. And I said, I know, but what happens to the -- you know, my old State Rep. district was the whole downtown of Peoria. And so I said something about what happened to my old State Rep. district or something like that. But that's the only other thing I can recall other than what I've already said with that conversation.</p> <p>19 Q. Okay. And was there anything -- did you write down any notes with respect to that conversation?</p> <p>22 A. No. I was in a car on my cell phone.</p>
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<p>1 Q. Have you told me everything that you said to Mr. Mapes and that Mr. Mapes said to you in that conversation regarding the map?</p> <p>4 A. That I -- yes. That I recall.</p> <p>5 Q. I'm sorry. And would there be anything that would refresh your recollection of that conversation?</p> <p>8 A. No. That's everything that I recall.</p> <p>9 Q. And with respect to President Cullerton and the conversation you testified to, have you now told us everything that you remember about that conversation that he said to you and that you said to him?</p> <p>14 MR. PANOFF: Object to the form.</p> <p>15 THE WITNESS: That's all that I recall.</p> <p>16 Yes.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. Is there anything that would refresh your recollection about that conversation?</p> <p>20 A. The only thing I guess I would add is I was -- I do believe I asked specifically about Peoria because a lot of my -- you know, again, not having</p>	<p>1 Q. And did you call him or did he call you?</p> <p>2 A. He called me. He called me on an unidentified number and I tend not to answer those so I waited until he left a message and I got the voicemail and I called him back.</p> <p>6 Q. And you called him back where?</p> <p>7 A. I believe it was his cell phone number.</p> <p>8 Q. And you did that the day the map was coming out?</p> <p>10 MR. PANOFF: Objection. Mischaracterizes testimony.</p> <p>12 BY MR. BRUCE:</p> <p>13 Q. I'm sorry. When did -- go ahead.</p> <p>14 A. I do not know the exact date, but he was calling me with information obviously that I did not have and it was right before it came out. So if it wasn't the day that it came out, it might have been the night before the day that it came out, but I would say it was definitely within a 48-hour period of that map coming out.</p> <p>21 Q. Have you now told me all of the conversations that you can recall as you sit here</p>

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<p>1 today with respect to anyone that may have had any 2 involvement with actually drawing the map?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 THE WITNESS: Yes.</p> <p>5 BY MR. BRUCE:</p> <p>6 Q. All right. Did anyone at any time ever 7 tell you that the congressional district map lines 8 were drawn to intentionally discriminate against 9 Latinos?</p> <p>10 MR. PANOFF: Object to the form and also, 11 Congressman, to the extent it calls for any 12 attorney-client communications, I'll instruct you not 13 to answer. If you have any independent basis, feel 14 free to answer that question.</p> <p>15 THE WITNESS: No.</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. Now, I think we digressed. I was asking 18 you if you had any firsthand knowledge as to why 19 various lines, congressional lines were drawn with 20 respect to the districts. Do you have any such 21 knowledge other than what may have been told to you 22 by Mr. Mapes or President Cullerton?</p>	<p>1 any statement to the press that it was a completely 2 partisan drawn map?</p> <p>3 A. I may have -- what I believe I have said 4 is that it was a completely partisan process, meaning 5 that when you're a legislator, you talk about 6 partisanship meaning one party. So if the Democrats 7 control the entire process or if the Republicans 8 control the entire process, it's a partisan process.</p> <p>9 So you know, this obviously was a very 10 partisan process. It was a partisan drawn map 11 because I'm not aware of any Republican legislator or 12 Congressman in Illinois having input into the 13 process.</p> <p>14 Q. I'm sorry. I missed that last part. You 15 were not aware of any what?</p> <p>16 A. I'm not aware of any Republicans having 17 input into the process. In other words, I would 18 define it as a partisan process, because -- a 19 partisan drawn map, because there is only one party 20 that's been involved and engaged in the process.</p> <p>21 Q. And you're saying that despite knowing or 22 not being able to identify any of the Republicans, if</p>
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<p>1 A. No.</p> <p>2 Q. Have you made any comments to the press 3 that you believe the congressional district map was 4 drawn purely for partisan reasons?</p> <p>5 MR. PANOFF: Object to the form.</p> <p>6 THE WITNESS: Not that I can recall.</p> <p>7 Well, I don't know. I don't know. Not recently. 8 But you may --</p> <p>9 BY MR. BRUCE:</p> <p>10 Q. Congressman, I'll ask you an easier 11 question. Let me ask you this. As you sit here 12 today, is it your opinion that the congressional 13 district map lines that were drawn and passed into 14 law in Springfield were drawn for purely partisan 15 reasons?</p> <p>16 MR. PANOFF: Object to the form.</p> <p>17 THE WITNESS: I have no idea.</p> <p>18 BY MR. BRUCE:</p> <p>19 Q. Okay.</p> <p>20 A. I have no idea why they were drawn the way 21 they were.</p> <p>22 Q. Well, have you ever told anyone or made</p>	<p>1 any, that were on the Senate or House Redistricting 2 Committee, is that true?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 THE WITNESS: Well, again, I would say 5 that I would question whether or not any bipartisan 6 committee had anything to do with the final map.</p> <p>7 BY MR. BRUCE:</p> <p>8 Q. Well, do you know?</p> <p>9 A. As I said --</p> <p>10 MR. PANOFF: Object to the form.</p> <p>11 THE WITNESS: I'm not aware of any 12 Republican, State Representative, State Senator or 13 Congressman who had anything to do with this map in 14 its final form.</p> <p>15 BY MR. BRUCE:</p> <p>16 Q. Have you spoken to any Democratic United 17 States Congressman from Illinois or Congresswoman 18 either before or after the map was passed regarding 19 the map process?</p> <p>20 A. I would characterize most of my 21 conversations as -- as informal small talk. I mean, 22 when I'm here during the week in Washington, D.C., I</p>

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<p>1 see my colleagues from Illinois every day, so you      2 know, I have spoken with Jesse Jackson, Jr. since the      3 map came out because obviously he has made comments      4 publicly about the map.</p> <p>5 And so, you know, I asked him what his      6 take was. I have a good relationship with my      7 colleagues here on both sides and so -- but you know,      8 nothing in great depth, I would say. More casual. I      9 mean, I didn't have a meeting with anybody in their      10 office and we sat down and went over the map. It was      11 more on the floor passing by.</p> <p>12 Q. Right. Well, as you sit here today, can      13 you tell me the specifics of any conversation that      14 you had with Congressman Jackson about the map.</p> <p>15 A. I know that his concern -- I do not      16 remember the exact language, but I know his concern      17 was specific to the dilution of his minority vote.      18 He felt that the legislature's map that they passed      19 unfairly diluted his once -- what he called a, you      20 know, stronghold of African-American votes. So he      21 was upset with the dilution of what his view was a      22 dilution of minority vote in his district.</p>	<p>1 you know, what are you hearing about the map. What      2 do you think of the map. Those kinds of things in      3 passing, but that's the extent of my conversations.      4 BY MR. BRUCE:</p> <p>5 Q. With respect to your former district, as I      6 understand it, that included only parts of Adams      7 County -- and by former district, I mean the district      8 that you're representing today.</p> <p>9 A. Correct.</p> <p>10 Q. All right. And is the newly passed map      11 that was passed in Springfield, does that encompass      12 all of Adams County?</p> <p>13 A. Yes, it does.</p> <p>14 Q. And prior to the map being passed, was it      15 your desire that the entire Adams County be included      16 in the 18th Congressional District?</p> <p>17 MR. PANOFF: Object to the form.</p> <p>18 THE WITNESS: Well, for what it's worth,      19 my belief is that to the degree a congressional      20 district can include the entire community or an      21 entire county, it's to the betterment of the      22 constituents. So I would say it would be my -- Adams</p>
<p>1 Q. And who was present in that -- present in      2 that conversation?</p> <p>3 A. 434 other members of Congress.</p> <p>4 Q. So it was on the House floor?</p> <p>5 A. Yes. We -- yes. I mean, it was either      6 coming in off the floor or coming off the floor. But      7 you don't get a lot of chance to talk for very long      8 so it would have been during one of our series of      9 votes.</p> <p>10 Q. Was there anything else that he said to      11 you or you said to him about the congressional map      12 other than what you've already told us here today?</p> <p>13 MR. PANOFF: Object to the form.</p> <p>14 THE WITNESS: Not that I'm aware of.</p> <p>15 BY MR. BRUCE:</p> <p>16 Q. Have you ever spoken to any staff member      17 of the National Republican Party or the National      18 Republican Campaign Committee about the map?</p> <p>19 MR. PANOFF: Object to the form.</p> <p>20 THE WITNESS: I have not had any formal      21 meetings that I can recall. I have had informal      22 conversations again in passing when people have said,</p>	<p>1 County was not any more specifically a priority for      2 me than any other county that I had a portion of, but      3 would I like to have had all of Adams County in my      4 map? Absolutely.</p> <p>5 BY MR. BRUCE:</p> <p>6 Q. And that's what happened, right?</p> <p>7 A. Correct. But I have 20 counties -- I have      8 20 counties, and a number of them are portions of      9 counties. What I think is relevant is the largest      10 population center in my current district is the      11 greater Peoria area which accounts for half of my      12 congressional district's population under the current      13 map. And under the new map, that major population      14 center is now split up.</p> <p>15 Q. And in fact, southern Peoria, as I      16 understand it, that was in your 18th Congressional      17 District and is no longer, is that correct?</p> <p>18 A. If you -- yes. Correct. But not just      19 southern Peoria. I would argue parts of central      20 Peoria and even north Peoria depending on, you know,      21 what you consider the streets to be, but -- but yes.      22 Your definite urban core has been cut out along with</p>

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<p>1   <b>quite a bit going north.</b></p> <p>2    Q. In the southern --</p> <p>3       MR. PANOFF: Devon, when you're at a good</p> <p>4       breaking point, can we take a five-minute break? But</p> <p>5       whenever you want to finish your line of questioning.</p> <p>6       MR. BRUCE: Let me finish a couple of</p> <p>7       these, and I'd be happy to, if that's okay.</p> <p>8       BY MR. BRUCE:</p> <p>9       Q. Congressman, with respect to the southern</p> <p>10      portion of Peoria that was no longer in the 18th</p> <p>11      Congressional District, do you agree that that was a</p> <p>12      majority of Democratic voters versus Republican</p> <p>13      voters?</p> <p>14       MR. PANOFF: Object to the form. Calls</p> <p>15      for speculation.</p> <p>16       BY MR. BRUCE:</p> <p>17       Q. Well, I don't want you to speculate.</p> <p>18       A. <b>I would say this. It's a portion of the</b></p> <p>19      <b>city that I was elected to as a State Representative</b></p> <p>20      <b>as a Republican, so to speculate as to how they vote,</b></p> <p>21      <b>really I would argue, depends on who's running. But</b></p> <p>22      <b>it is an overwhelmingly majority -- it is an</b></p>	<p>1       county votes, depending on the candidate. But I</p> <p>2       didn't have the entire county. I don't remember the</p> <p>3       exact squiggly lines, but I had a portion of Putnam</p> <p>4       County. So I don't know how the whole county votes</p> <p>5       traditionally on races. I can't really -- I mean, I</p> <p>6       have no idea really.</p> <p>7       MR. BRUCE: Why don't we take a break.</p> <p>8       MR. PANOFF: Just five minutes or so. Is</p> <p>9       that fine with you, Devon?</p> <p>10       MR. BRUCE: Sure.</p> <p>11       MR. PANOFF: Let's go off the record.</p> <p>12       (Recess.)</p> <p>13       BY MR. BRUCE:</p> <p>14       Q. Sir, did you agree with President</p> <p>15      Cullerton after you saw the map that you had the most</p> <p>16      Republican congressional district in the newly passed</p> <p>17      map?</p> <p>18       MR. PANOFF: Object to the form.</p> <p>19       THE WITNESS: Based on what I know, yes.</p> <p>20       BY MR. BRUCE:</p> <p>21       Q. All right. Is the 18th Congressional</p> <p>22      District, in your opinion, as an experienced public</p>
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<p>1   <b>overwhelmingly minority demographic in that portion</b></p> <p>2   <b>of the city.</b></p> <p>3       Q. And that -- and that apportionment that</p> <p>4       you're referring to is no longer in your 18th</p> <p>5       Congressional District?</p> <p>6       A. <b>That large minority population center has</b></p> <p>7       <b>been cut out of my district.</b></p> <p>8       Q. And last question on this line, then we</p> <p>9       can take a break. Putnam County, was Putnam County</p> <p>10      in the district that you currently represent today?</p> <p>11       A. <b>Yes.</b></p> <p>12       Q. And is that in the new congressional</p> <p>13      district that was drawn and passed into law in</p> <p>14      Springfield?</p> <p>15       A. <b>No.</b></p> <p>16       Q. And is that predominantly a Democratic</p> <p>17      county?</p> <p>18       MR. PANOFF: Object to the form. Calls</p> <p>19      for speculation.</p> <p>20       THE WITNESS: Well, I did not have -- when</p> <p>21      you asked me about that county, was that a largely</p> <p>22      Democratic county, I again do not know how that</p>	<p>1       official, is that district, the newly drawn 18th</p> <p>2       Congressional District advantageous for a Republican</p> <p>3       candidate such as yourself versus a Democratic</p> <p>4       candidate?</p> <p>5       MR. PANOFF: Object to the form. And,</p> <p>6       Congressman, to the extent you have any independent</p> <p>7       basis to answer that, feel free to do so. To the</p> <p>8       extent it involves any attorney-client communication,</p> <p>9       I would instruct you not to answer.</p> <p>10       THE WITNESS: You asked me whether it</p> <p>11      would be more advantageous for a Republican versus a</p> <p>12      Democrat?</p> <p>13       BY MR. BRUCE:</p> <p>14       Q. Yes, sir.</p> <p>15       A. <b>Yes. I mean, my district, my current</b></p> <p>16      <b>district is not the most Republican district in the</b></p> <p>17      <b>state, so assuming that, yes, I would say it is more</b></p> <p>18      <b>advantageous for a Republican -- yes, short answer,</b></p> <p>19      <b>yes.</b></p> <p>20       Q. Okay. Thank you. Congressman, when we</p> <p>21      took a break, and feel free -- in front of you should</p> <p>22      be some maps, and this is not a memory test,</p>

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<p>1 Congressman. To answer any of my questions today, if  2 you need to look at these maps, I believe what you  3 have in front of you are some maps which include the  4 map that was recently passed in Springfield into law.  5 There also should be a map that is your current 18th  6 Congressional District that you represent currently,  7 right?</p> <p>8     <b>A. Yes.</b></p> <p>9     Q. Do you see that?</p> <p>10    <b>A. Yes.</b></p> <p>11    Q. And then there is actually a bigger one.</p> <p>12    MR. PANOFF: Is that the next page?</p> <p>13    BY MR. BRUCE: Yes. He has it in front of  14 you. And then lastly there is a map that has been  15 proffered by you and your fellow Congressmen. Do you  16 see that?</p> <p>17    MR. PANOFF: No. There is an intermediate  18 map. We have four maps before the one that we've  19 introduced. Do you only have three, Devon?</p> <p>20    MR. BRUCE: I don't know.</p> <p>21    MR. PANOFF: Why don't we go through them  22 so that we are on the same page. The first map you</p>	<p>1     Q. Okay. With respect to the map that's  2 being proffered by you and your fellow Republican  3 Congressmen in this lawsuit, have you ever seen that  4 map before today?</p> <p>5     MR. PANOFF: You can answer that yes or  6 no.</p> <p>7     THE WITNESS: Yes.</p> <p>8     BY MR. BRUCE:</p> <p>9     Q. Okay. Do you know who drew the map that's  10 being offered by you and your fellow Republican  11 Congressmen?</p> <p>12    MR. PANOFF: Congressman, to the extent  13 that calls for attorney-client communications, I'm  14 going to instruct you not to answer. If you have an  15 independent basis, please feel free to answer it, but  16 if everything that you know came from attorney-client  17 communications, I'll instruct you not to answer.</p> <p>18    THE WITNESS: Yes. All I know is what I  19 got from my attorneys, so I have no -- outside of my  20 attorney's communication, I have no other source of  21 information.</p> <p>22    BY MR. BRUCE:</p>
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<p>1 have --</p> <p>2     THE WITNESS: I have a side by side. Is  3 that what you wanted me to look at?</p> <p>4     MR. BRUCE: Not yet. I'm going to ask you  5 some questions first about the map that you're  6 currently representing, the district.</p> <p>7     BY MR. BRUCE:</p> <p>8     Q. Do you have that in front of you?</p> <p>9     <b>A. Yes.</b></p> <p>10    Q. As I look at this map, Congressman, in  11 terms of the district that you currently represent,  12 your district only has part of Pike, Adams, Brown  13 Knox, Woodford, Macon and Sangamon Counties, is that  14 correct?</p> <p>15    MR. PANOFF: Object to the form.</p> <p>16    THE WITNESS: Correct.</p> <p>17    MR. PANOFF: Do you know where he is?</p> <p>18    THE WITNESS: Yes. You're talking about  19 the current map?</p> <p>20    BY MR. BRUCE:</p> <p>21    Q. I am.</p> <p>22    <b>A. Yes.</b></p>	<p>1     Q. And would your answer be the same with  2 respect to the demographic make-up of the map that is  3 being proffered by you and your fellow Republican  4 Congressmen in this case?</p> <p>5     MR. PANOFF: If I may, he is asking if all  6 the demographic information regarding that map came  7 from communications from counsel.</p> <p>8     THE WITNESS: Yes.</p> <p>9     BY MR. BRUCE:</p> <p>10    Q. Did you ever at any time see any draft map  11 of the map that's being proffered in this lawsuit?</p> <p>12    MR. PANOFF: I'm going to instruct you not  13 to answer to the extent it involves attorney-client  14 communications.</p> <p>15    THE WITNESS: The only -- the only  16 information I would have would come from my  17 attorneys. I don't have any outside information.</p> <p>18    BY MR. BRUCE:</p> <p>19    Q. And under the map that's being proffered  20 in this lawsuit, which congressional district in that  21 map would you run in?</p> <p>22    MR. PANOFF: Objection. Calls for</p>

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14 (Pages 50 to 53)

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1 speculation. 2 BY MR. BRUCE: 3 Q. If you know. 4 A. Yes. As I stated earlier, I live in the 5 current 18th District under the Democrats-passed map. 6 I live in the 18th District, and under the Committee 7 for a Fair and Balanced Map's map, I live in the 18th 8 District. So my intention is to run in the 18th 9 Congressional District. 10 Q. Can you tell me, is there any member of 11 the Democratic Party that's a plaintiff in this cause 12 of action that you're bringing? 13 A. Not that I'm aware of. 14 Q. All right. And this Committee for a Fair 15 and Balanced Map, where are they located physically? 16 What's their address? 17 MR. PANOFF: Object to the form. Calls 18 for speculation. 19 THE WITNESS: I don't know of any address. 20 BY MR. BRUCE: 21 Q. Can you tell me the head of the Committee 22 for a Fair and Balanced Map?	1 there was significantly more than the four or five 2 names that I can come up with. 3 BY MR. BRUCE: 4 Q. Were there any members of the Committee 5 for a Fair and Balanced Map that you know to be a 6 member of the Democratic Party? 7 MR. PANOFF: Object to the form. Calls 8 for speculation. 9 THE WITNESS: I did not recognize most of 10 those names. 11 BY MR. BRUCE: 12 Q. How many meetings of the Committee for a 13 Fair and Balanced Map have you been to? 14 MR. PANOFF: Object to the form. 15 THE WITNESS: I'm not aware of any 16 official meetings that I've been to. 17 BY MR. BRUCE: 18 Q. How many fundraisers have you been to? 19 MR. PANOFF: You mean for the committee? 20 BY MR. BRUCE: 21 Q. Sure. 22 A. I believe I've been to one.
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1 MR. PANOFF: Objection. Foundation. 2 Calls for speculation. 3 THE WITNESS: I believe it's -- I believe 4 the chairperson is Lynn Martin. But then there is a 5 whole bunch of people, I think, that make it up. 6 BY MR. BRUCE: 7 Q. And tell me who you understand makes it 8 up? 9 A. Well, I'm most familiar with the former 10 members of Congress, so I would say Lynn Martin, I 11 believe Denny Hastert and I believe Tom Ewing. But 12 that's all I can -- 13 Q. I'm sorry. I didn't mean to interrupt 14 you, Congressman. 15 A. That's all I can recall right now. 16 Q. I take it at some point in time, you've 17 seen a list of the members of the committee, is that 18 correct? 19 MR. PANOFF: Object to the form. 20 THE WITNESS: Yes. I've seen a list I'm 21 sure at some point, but I do not recall anyone else 22 on the list. I think it was a rather -- I mean,	1 Q. And where was that? 2 A. It was in a -- I believe a suburb of 3 Chicago. 4 Q. And where was it physically located, in a 5 restaurant? 6 A. I believe it was at the home -- it was at 7 a private home. 8 Q. And whose home was that? 9 A. I do not remember his name. 10 Q. Well, did you get an invitation to go 11 there? 12 A. Yes. But I don't remember. I actually 13 believe I was on the invitation. I don't know. I 14 don't remember. 15 Q. And can you tell me who did you recognize 16 at the fundraiser that was a Democrat? 17 MR. PANOFF: Object to the form. Calls 18 for speculation. 19 THE WITNESS: I -- you're assuming I 20 recognized anyone. I do not know people's parties. 21 I mean, first of all, what does a Democrat look like? 22 BY MR. BRUCE:

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15 (Pages 54 to 57)

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<p>1 Q. Did you recognize --</p> <p>2 A. I mean, you're talking about somebody that</p> <p>3 never under any circumstances under any -- under any</p> <p>4 reason would ever vote for a Republican or what?</p> <p>5 Q. Yes. Well, you bring up a good point.</p> <p>6 Did you see a lot of current and former elected</p> <p>7 officials there at the fundraiser?</p> <p>8 MR. PANOFF: Object to the form.</p> <p>9 THE WITNESS: I saw many of my colleagues</p> <p>10 in the House that I serve with, but they were by far</p> <p>11 outnumbered by the people who were there in</p> <p>12 attendance paying, I'm assuming. In other words, it</p> <p>13 wasn't -- it wasn't a party for elected officials.</p> <p>14 BY MR. BRUCE:</p> <p>15 Q. All right. How many of your fellow</p> <p>16 colleagues from the House were there at the party?</p> <p>17 MR. PANOFF: Object to form and</p> <p>18 foundation.</p> <p>19 THE WITNESS: I would say again not</p> <p>20 knowing exactly, I would say, first of all, I didn't</p> <p>21 see everybody that was at the party, so I would say</p> <p>22 there were probably four, five maybe.</p>	<p>1 Q. Now, are you a member of the Committee for</p> <p>2 a Fair and Balanced Map yourself?</p> <p>3 A. Yes.</p> <p>4 Q. Or do you know? Okay. Can you tell me,</p> <p>5 other than Lynn Martin, who are the officers of the</p> <p>6 committee?</p> <p>7 MR. PANOFF: Object to the form.</p> <p>8 Foundation. Calls for speculation.</p> <p>9 THE WITNESS: I'm not aware.</p> <p>10 BY MR. BRUCE:</p> <p>11 Q. Can you tell me who the vice chairperson</p> <p>12 is or the treasurer or the secretary of this</p> <p>13 committee that you are a member of?</p> <p>14 MR. PANOFF: Object to form. Form.</p> <p>15 Foundation. Calls for speculation. Asked and</p> <p>16 answered.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. Go ahead.</p> <p>19 A. Well, those are the officers, correct?</p> <p>20 Q. Typically in an organization, right, you</p> <p>21 have a chairperson or president, you have vice</p> <p>22 president, chairperson, treasurer, secretary. I'm</p>
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<p>1 BY MR. BRUCE:</p> <p>2 Q. And which of those members were Democrats?</p> <p>3 MR. PANOFF: Object to the form.</p> <p>4 Foundation.</p> <p>5 THE WITNESS: I do not recall seeing one</p> <p>6 of my Democratic House colleagues at the event.</p> <p>7 BY MR. BRUCE:</p> <p>8 Q. Do you know if they were invited?</p> <p>9 MR. PANOFF: Object to form. Foundation.</p> <p>10 THE WITNESS: I do not know that.</p> <p>11 BY MR. BRUCE:</p> <p>12 Q. And when was this party in the suburbs?</p> <p>13 A. I would say in the month of August, of</p> <p>14 2011.</p> <p>15 Q. I'd like you to tell me the names of the</p> <p>16 employees of the Committee for a Fair and Balanced</p> <p>17 Map that you're aware of.</p> <p>18 MR. PANOFF: Object to the form.</p> <p>19 Foundation.</p> <p>20 THE WITNESS: I'm not aware -- I have not</p> <p>21 had interaction with the employees that I'm aware of.</p> <p>22 BY MR. BRUCE:</p>	<p>1 just asking, other than Lynn Martin, who else do you</p> <p>2 know fills those roles?</p> <p>3 MR. PANOFF: Same objections.</p> <p>4 THE WITNESS: No one. I don't know.</p> <p>5 BY MR. BRUCE:</p> <p>6 Q. Was it your feeling that the -- based upon</p> <p>7 your experience in elected office and not based on</p> <p>8 anything that you have learned from your lawyers, is</p> <p>9 it your opinion that the congressional district lines</p> <p>10 that were drawn and passed into law in the new map</p> <p>11 were drawn for partisan reasons?</p> <p>12 MR. PANOFF: Object to the form and</p> <p>13 foundation, and I'd reiterate in his question, he is</p> <p>14 not asking for any communications with counsel.</p> <p>15 THE WITNESS: I have no idea why the lines</p> <p>16 were drawn the way they were.</p> <p>17 BY MR. BRUCE:</p> <p>18 Q. Other than what your lawyers have told you</p> <p>19 and other than what you and I have discussed here</p> <p>20 today in your deposition, do you have any other</p> <p>21 knowledge about how the congressional district map</p> <p>22 that was passed into law in Springfield was made?</p>

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1 A. No.

2 Q. Congressman, thank you for your time  
3 today. I appreciate it. And look forward to seeing  
4 you again sometime.

5 MR. PANOFF: We'll reserve on signature.

6 MR. BRUCE: Thank you.

7 (Whereupon, at 4:42 p.m., the taking of  
8 the deposition ceased.)

9

10

---

**Signature of the Witness**

12

13 SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day  
14 of \_\_\_\_\_, 2011.

15

15

NOTARY PUBLIC

18

18

15

20

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

4 COMMITTEE FOR A FAIR AND  
5 BALANCED MAP, JUDY  
6 BIGGERT, ROBERT J. DOLD,  
7 RANDY HULTGREN, ADAM  
8 KINZINGER, DONALD  
9 MANZULLO, PETER J. ROSKAM,  
10 BOBBY SCHILLING, AARON  
SCHOCK, JOHN M. SHIMKUS,  
JOE WALSH, RALPH RANGEL,  
LOU SANDOVAL, LUIS SANABRIA,  
MICHELLE CABALLERO,  
EDMUND BREZINSKI, and  
LAURA WAXWEILER,

No. 1:11-cv-5065

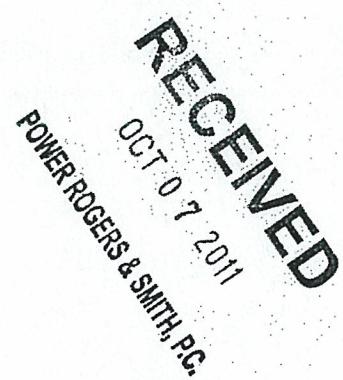
11 Plaintiffs, )

12 vs. } . . . . .

13 ILLINOIS STATE BOARD OF  
ELECTIONS, WILLIAM A.  
14 MCGUFFAGE, JESSE R.  
SMART, BRYAN A. SCHNEIDER,  
15 BETTY J. COFFRIN,  
HAROLD D. BYERS,  
16 JUDITH C. RICE,  
CHARLES W. SCHOLZ, and  
17 ERNEST L. GOWEN

18 Defendants.

20 CONGRESSMAN PETER ROSKAM, called by the Defendants,  
21 for examination, taken pursuant to notice, taken  
22 before CARYL L. HARDY, a Notary Public within and  
23 for the County of Cook, State of Illinois, and a  
24 Certified Shorthand Reporter of said state, ta



<p>1 at 70 West Madison Street, 55th Floor, Chicago, 2 Illinois, at the hour of 2:47 p.m., on the 29th day 3 of September, A.D., 2011.</p> <p>4</p> <p>5 APPEARANCES:</p> <p>6</p> <p>7 MAYER BROWN, LLP, 8 71 South Wacker Drive Chicago, Illinois 60606 (312) 782-0600</p> <p>9 BY: MS. LORI E. LIGHTFOOT and MR. THOMAS V. PANOFF,</p> <p>10 Appeared on behalf of the Plaintiffs;</p> <p>11</p> <p>12 POWER, ROGERS, &amp; SMITH, P.C., 70 West Madison Street 55th Floor Chicago, Illinois 60602 (312) 236-9381</p> <p>13 BY: MR. DEVON C. BRUCE,</p> <p>14</p> <p>15 Appeared on behalf of the Defendants.</p> <p>16</p> <p>17 ALSO PRESENT: 18 Mr. Jim Ross - Videographer</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 2	Page 4
<p>1 INDEX</p> <p>2 EXAMINATION OF CONGRESSMAN PETER ROSKAM</p> <p>3 By Mr. Bruce.....5</p> <p>4</p> <p>5 EXHIBITS MARKED</p> <p>6 Roskam Deposition Exhibit No. 1.....27</p> <p>7 Roskam Deposition Exhibit No. 2.....27</p> <p>8 Roskam Deposition Exhibit No. 3.....43</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 3	Page 5

1 THE VIDEOGRAPHER: Recording.  
2 For the record, my name is Jim Ross of  
3 Video Instanter. I am the videorecording device  
4 operator for this deposition. My business address  
5 is 161 North Clark Street, Suite 4975, Chicago,  
6 Illinois, 60601.

7 This deposition is being videorecorded  
8 pursuant to Federal Rule 30 and all other  
9 applicable rules.

10 We are at 70 West Madison Street,  
11 Suite 5500, Chicago, Illinois, 60601, to take the  
12 videotaped deposition of Peter Roskam in the matter  
13 of the Committee for a Fair and Balanced Map,  
14 et al., versus the Illinois State Board of  
15 Elections, et al., case number 11-5065 in the  
16 United States District Court for the Northern  
17 District of Illinois, Eastern Division. Today's  
18 date is September 29th, 2011. The time is  
19 2:47 p.m.

20 This deposition is being videotaped on  
21 behalf of the Defendant. It is being taken at the  
22 instance of the Defendant.

23 Will the attorneys present please  
24 introduce themselves for the record?

1 MR. BRUCE: Devon Bruce as Special  
2 Assistant Attorney General on behalf of the  
3 Defendants.

4 MR. PANOFF: Tom Panoff on behalf of the  
5 Plaintiffs and the witness.

6 MS. LIGHTFOOT: Lori Lightfoot on behalf  
7 of the Plaintiffs and Congressman Roskam.

8 THE VIDEOGRAPHER: Will the court reporter  
9 please swear in the witness?

10 (The witness was duly sworn.)

11 MR. BRUCE: Let the record reflect that  
12 this is the deposition of Congressman Peter Roskam  
13 taken pursuant to the Federal Rules of Civil  
14 Procedure and continued by the parties pursuant to  
15 notice.

16 CONGRESSMAN PETER ROSKAM,  
17 called as a witness herein, having been first duly  
18 sworn, was examined upon oral interrogatories, and  
19 testified as follows:

20 DIRECT EXAMINATION

21 BY MR. BRUCE:

22 Q. Congressman, could you please state your  
23 first and last name and spell your last name for  
24 the record, please?

<p>1 A. Peter Roskam, R-o-s-k-a-m.</p> <p>2 Q. It's my understanding, Congressman, that</p> <p>3 you've been through the deposition process on a</p> <p>4 number of occasions in the past; is that true?</p> <p>5 A. That's true.</p> <p>6 Q. All right. I'm just going to ask you a</p> <p>7 series of questions today. You are one of the</p> <p>8 individuals that has brought, as I understand it, a</p> <p>9 lawsuit against the Illinois Board of Elections,</p> <p>10 and as a result, I asked that -- and you've been</p> <p>11 identified as a witness that may testify at trial</p> <p>12 which is why I asked to take your deposition here</p> <p>13 today.</p> <p>14 If at any time you don't understand a</p> <p>15 question that I ask, just tell me, and I'll be</p> <p>16 happy to rephrase it.</p> <p>17 We can take a break at any time as long as</p> <p>18 there's not a question pending.</p> <p>19 Despite the fact that the deposition is</p> <p>20 being videotaped, it's important that you answer</p> <p>21 out loud and audibly for the court reporter.</p> <p>22 And I don't have any doubt, Congressman,</p> <p>23 that you are going to anticipate the vast majority</p> <p>24 of my questions before I finish asking them, but</p>	<p>Page 6</p> <p>1 you were a practicing attorney?</p> <p>2 A. No.</p> <p>3 Q. Were you involved in any redistricting</p> <p>4 litigation during the time that you were a</p> <p>5 practicing attorney?</p> <p>6 A. No.</p> <p>7 Q. Have you been named in any other</p> <p>8 redistricting litigation other than the instant</p> <p>9 case that we're here for today?</p> <p>10 A. No.</p> <p>11 Q. With respect to your Congressional</p> <p>12 experience, I just want to briefly talk about your</p> <p>13 role in government, and I want to go back to when</p> <p>14 you were first elected to office.</p> <p>15 When was that that you were first elected?</p> <p>16 A. To any office?</p> <p>17 Q. Yes, sir.</p> <p>18 A. I was elected to the Illinois House in</p> <p>19 1992.</p> <p>20 Q. And then you served in the House for how</p> <p>21 many terms?</p> <p>22 A. I served three terms.</p> <p>23 Q. Okay. And so that brings us up to what,</p> <p>24 1998?</p>
<p>1 it's important that you let me finish asking my</p> <p>2 question before you begin your answer. Otherwise,</p> <p>3 we'll be talking over one other. Okay?</p> <p>4 A. Okay.</p> <p>5 Q. And lastly, if at any time you don't</p> <p>6 understand a question, just tell me, and I'll be</p> <p>7 happy to rephrase it.</p> <p>8 A. Understand.</p> <p>9 Q. Let me just get some general background</p> <p>10 information.</p> <p>11 What city do you live in, Congressman?</p> <p>12 A. Wheaton, Illinois.</p> <p>13 Q. Okay. And do you have any plans on moving</p> <p>14 from Wheaton anytime in the next year?</p> <p>15 A. No.</p> <p>16 Q. And why don't you tell me a little bit</p> <p>17 about your background?</p> <p>18 Where did you go to undergraduate?</p> <p>19 A. Undergraduate degree from the University</p> <p>20 of Illinois at Champaign, a law degree from IIT</p> <p>21 Chicago Kent College of Law; spent time on Capitol</p> <p>22 Hill as a staffer and served in the Illinois House,</p> <p>23 Illinois Senate, and now a U.S. representative.</p> <p>24 Q. And did you practice any election law when</p>	<p>Page 7</p> <p>Page 9</p> <p>1 A. 1999. Then I ran unsuccessfully for the</p> <p>2 U.S. House of Representatives. I was out of public</p> <p>3 service for a year. I was appointed to the state</p> <p>4 Senate in 2000.</p> <p>5 Q. And with respect to the unsuccessful</p> <p>6 election, what district did you run in at that</p> <p>7 time?</p> <p>8 A. The 13th.</p> <p>9 Q. And who was it that beat you -- was it a</p> <p>10 primary?</p> <p>11 A. It was a primary. I was beat by a fellow</p> <p>12 Plaintiff, Judy Biggert.</p> <p>13 Q. You and she are friends now.</p> <p>14 In any event, you were appointed to the</p> <p>15 state Senate -- I'm sorry -- Congressman, at what</p> <p>16 time?</p> <p>17 A. January 2000.</p> <p>18 Q. And then what happened after that?</p> <p>19 A. I ran for the United States House of</p> <p>20 Representatives in the sixth district.</p> <p>21 Q. In what year?</p> <p>22 A. 2006.</p> <p>23 Q. And you won?</p> <p>24 A. That's right.</p>

<p style="text-align: right;">Page 10</p> <p>1 Q. And who was your general opponent that 2 year, do you remember? 3 A. Tammy Duckworth. 4 Q. And have you served in the Congress since 5 that time in 2006? 6 A. Yes. 7 Q. And you're currently in leadership? 8 A. Yes. 9 Q. In what position? 10 A. Chief deputy whip. 11 Q. Have you always been a Congressman sixth 12 district? 13 A. Yes. 14 Q. Now, sir, did you play any role at all in 15 the redistricting process for the map that was 16 passed in Illinois in 2011? 17 MS. LIGHTFOOT: Object to the form. 18 BY THE WITNESS: 19 A. Could you give me -- what are you asking 20 me? I mean, it's a very broad question. 21 BY MR. BRUCE: 22 Q. It is a broad question and I -- I'm trying 23 to -- I don't want to take up your time, 24 Congressman.</p>	<p style="text-align: right;">Page 12</p> <p>1 BY THE WITNESS: 2 A. Yes. 3 BY MR. BRUCE: 4 Q. Okay. Who did you speak to? 5 A. Senate President John Cullerton. 6 Q. Okay. Anyone else? 7 A. Not that I recall. 8 Q. And was that -- when was the 9 conversation -- did you have one conversation with 10 President Cullerton or more than one? 11 A. More than one. 12 Q. How many? 13 A. Two to my recollection. 14 Q. And were those in person or over the 15 phone? 16 A. Over the phone. 17 Q. Both of them? 18 A. Both of them. 19 Q. And when was the first conversation? 20 A. I don't recall. 21 Q. Do you have any notes of that conversation? 22 A. No. 23 Q. Did you have any -- at any time have you 24 either generated or received any correspondence,</p>
<p style="text-align: right;">Page 11</p> <p>1 A. I've got time. 2 Q. Okay. Did you yourself play any firsthand 3 role in drawing any of the lines on the 4 Congressional map that was ultimately adopted in 5 2011? 6 A. By firsthand role, do you mean offering 7 amendments as a member of the Illinois General 8 Assembly or the Illinois Senate? No. I wasn't a 9 member of the legislature. 10 Q. And that's what I understood. The map 11 that you're taking issue with was passed by the 12 Illinois legislature and signed by the Illinois 13 governor; is that correct? 14 A. That's correct. 15 Q. Okay. What I'm getting at -- and I'm not 16 trying to be, you know, ev- -- I'm just trying to 17 directly address the issue. Did you have any role 18 at all in creating the map that was ultimately 19 adopted? 20 A. No. 21 Q. Okay. Did you speak to anyone that had a 22 direct role in adopting the map that you're taking 23 issue with? 24 MS. LIGHTFOOT: Object to the form.</p>	<p style="text-align: right;">Page 13</p> <p>1 emails, notes, or any other tangible item with 2 respect to the redistricting of the map that you're 3 now taking issue with -- 4 A. No. 5 Q. -- other than possibly from counsel? Go 6 ahead. 7 MS. LIGHTFOOT: Can I just have that 8 question read back? 9 (Record read.) 10 BY MR. BRUCE: 11 Q. You understood my question other than with 12 possibly your counsel? 13 A. I understood it. The answer is no. 14 Q. Okay. Back to the conversation that you 15 had with President Cullerton, the first 16 conversation, do you remember what month and year 17 that occurred in? 18 A. I recall that it was shortly before the 19 map was passed by the General Assembly. 20 Q. Hours, days, weeks? 21 A. In the days/weeks. 22 Q. And you knew President Cullerton from your 23 time in the Senate? 24 A. Yes.</p>

<p>1 Q. Who initiated the phone call?</p> <p>2 A. Senator Cullerton.</p> <p>3 Q. And what did he say to you and what did</p> <p>4 you say to him in that conversation?</p> <p>5 A. My recollection is that he proposed a</p> <p>6 version of the map that would have been favorable</p> <p>7 to me personally; that he was interested in my</p> <p>8 support for that and also for me encouraging other</p> <p>9 Republicans to vote in favor of that map.</p> <p>10 I recall that he said he had been in</p> <p>11 contact with the Democratic Congressional Campaign</p> <p>12 Committee, and I recall that he said that, in his</p> <p>13 opinion, Judy Biggert, Congresswoman Biggert, was</p> <p>14 gone under any version of the map.</p> <p>15 Q. Do you remember anything else that he said</p> <p>16 to you in that conversation?</p> <p>17 A. He said that he had been in touch with</p> <p>18 Congressman Randy Hultgren. And that's my</p> <p>19 recollection.</p> <p>20 Q. What did you say to President Cullerton in</p> <p>21 that first conversation?</p> <p>22 A. I asked him about the map.</p> <p>23 Q. Did he ever provide you, either over fax</p> <p>24 or in the mail or in an email, any -- any map or</p>	<p>Page 14</p> <p>1 A. A map that, in his opinion -- a district</p> <p>2 that, in his opinion, I could win. He expressed a</p> <p>3 certain amount of flexibility in how the -- how the</p> <p>4 districts were being fashioned and that if I was</p> <p>5 able to get Republican support for the map, then he</p> <p>6 would be able to put me in a map -- put me in a</p> <p>7 district that was favorable to me.</p> <p>8 Q. Well, that was nice of him.</p> <p>9 Is there anything else about that</p> <p>10 conversation that you have -- that you recall that</p> <p>11 you've not told me about here today?</p> <p>12 A. Not that I recall.</p> <p>13 Q. Is there anything that would refresh your</p> <p>14 recollection?</p> <p>15 A. No.</p> <p>16 Q. You had a subsequent conversation with</p> <p>17 President Cullerton?</p> <p>18 A. I did.</p> <p>19 Q. What month and year was that? It was</p> <p>20 2011.</p> <p>21 A. It was 2011.</p> <p>22 Q. Yeah. What month was that?</p> <p>23 A. It was subsequent, so within the same time</p> <p>24 frame generally.</p>
<p>1 draft map for you to look at?</p> <p>2 A. No.</p> <p>3 Q. You asked him about the map. And what did</p> <p>4 he say, do you remember?</p> <p>5 A. He offered to have someone come and look</p> <p>6 at the map in Springfield.</p> <p>7 Q. And what did you say to that?</p> <p>8 A. I said I'd think about it and would circle</p> <p>9 back and possibly send someone to Springfield to</p> <p>10 look at the map.</p> <p>11 Q. Did you do that ultimately?</p> <p>12 A. I did.</p> <p>13 Q. Okay. Who did you send?</p> <p>14 A. I sent my chief of staff, Steven Moore.</p> <p>15 Q. M-o-o-r-e?</p> <p>16 A. That's right.</p> <p>17 Q. Is there anything else that you remember</p> <p>18 about that conversation with President Cullerton</p> <p>19 that you have not told us here today?</p> <p>20 A. Not that I recall.</p> <p>21 Q. Do you know, for example, what was it</p> <p>22 about the map that Congressman -- that President</p> <p>23 Cullerton was talking to you about that was</p> <p>24 favorable to you personally?</p>	<p>Page 15</p> <p>1 Q. So would this have all been occurring in</p> <p>2 March or April or May? I mean, can you narrow it</p> <p>3 down for a month?</p> <p>4 A. I -- it was imminent to the House and the</p> <p>5 Senate acting. I don't have a recollection as we</p> <p>6 sit here today about what -- what month or what</p> <p>7 week that was, but it was -- it was imminent to</p> <p>8 that.</p> <p>9 Q. Within days?</p> <p>10 A. Within days.</p> <p>11 Q. Okay. And by the way, was anyone in your</p> <p>12 office when you spoke to Congress- -- President</p> <p>13 Cullerton?</p> <p>14 A. Not on the first conversation that --</p> <p>15 Q. Okay.</p> <p>16 A. -- we just talked about.</p> <p>17 Q. Okay. And do you know if you were on the</p> <p>18 speakerphone or if there was anyone else that was a</p> <p>19 witness to the conversation at his end of the</p> <p>20 telephone?</p> <p>21 A. I don't know.</p> <p>22 Q. All right. Tell me about the second</p> <p>23 conversation. Did he call you, or did you call</p> <p>24 him?</p>

<p style="text-align: right;">Page 18</p> <p>1 A. Representative Randy Hultgren and I called 2 President Cullerton.</p> <p>3 Q. From Washington?</p> <p>4 A. From Washington.</p> <p>5 Q. And was there any -- were you on a 6 speakerphone?</p> <p>7 A. I don't recall.</p> <p>8 Q. Okay. And what did you say to President 9 Cullerton in that telephone conversation?</p> <p>10 A. We essentially declined his offer.</p> <p>11 Q. You and Congressman Hultgren?</p> <p>12 A. That's right.</p> <p>13 Q. Why?</p> <p>14 A. It didn't seem like a good idea.</p> <p>15 Q. What didn't?</p> <p>16 A. The offer to find Republican votes on 17 President Cullerton's proposed map.</p> <p>18 Q. And you understood he was willing to work 19 with you and Congressman Hultgren in terms of 20 moving the district lines based upon the original 21 conversation?</p> <p>22 A. Yes.</p> <p>23 Q. Other than declining his offer, can you 24 tell me anything else that you said to him or that</p>	<p style="text-align: right;">Page 20</p> <p>1 you ever speak to anyone that you understand that 2 had any involvement at all -- strike that.</p> <p>3 Did you ever speak to any other state 4 legislator about the redistricting process other 5 than two those conversations that you had with 6 President Cullerton?</p> <p>7 A. No.</p> <p>8 Q. Did you ever speak to any state 9 legislative staff at any time regarding this 10 legislative process?</p> <p>11 A. No.</p> <p>12 Q. And by that, I mean the redistricting 13 process.</p> <p>14 A. I understood.</p> <p>15 Q. Okay. You told me about your chief of 16 staff going down to Springfield?</p> <p>17 A. That's right.</p> <p>18 Q. Did he do that once or more than once?</p> <p>19 A. Once.</p> <p>20 Q. And did he obtain any documents for you to 21 review?</p> <p>22 A. No.</p> <p>23 Q. And I take it you talked to Mr. Moore 24 either while he was down there or after he came</p>
<p style="text-align: right;">Page 19</p> <p>1 Congressman Hultgren said to President Cullerton in 2 that second conversation that you had?</p> <p>3 A. There was a reluctance that we expressed 4 about not being able to see the map in its 5 totality. In other words, we were shown 6 information only about the proposed districts that 7 we would run in, but there was no sense of seeing 8 the larger picture.</p> <p>9 Q. Anything else that you said to President 10 Cullerton or that he said to you that you can 11 recall in that conversation?</p> <p>12 A. Not that I recall.</p> <p>13 Q. Would there be anything that would refresh 14 your recollection?</p> <p>15 A. No.</p> <p>16 Q. And at this point, had you seen any map or 17 draft map?</p> <p>18 A. Any map from the -- from Senator Cullerton?</p> <p>19 Q. Yes, sir.</p> <p>20 A. No.</p> <p>21 Q. Well, had you seen any map from anyone at 22 this point?</p> <p>23 A. No.</p> <p>24 Q. Now, other than President Cullerton, did</p>	<p style="text-align: right;">Page 21</p> <p>1 back?</p> <p>2 A. Correct.</p> <p>3 Q. And what did he -- did he call you while 4 he was there or after he came back?</p> <p>5 A. My memory is that he called me while he 6 was there.</p> <p>7 Q. All right. What did he say to you and 8 what did you say to him in that conversation?</p> <p>9 A. I don't recall the details. I recall the 10 essence which was he was invited in by Senator 11 Cullerton to what was described as a map room. He 12 was able to see only the proposed sixth district 13 map and was not able to see the totality of the 14 map. He was not allowed to take notes. And 15 that -- that's the -- that's the essence of the 16 conversation.</p> <p>17 Q. Do you remember anything else that 18 Mr. Moore said to you or you said to him about his 19 involvement in seeing the proposed sixth district 20 map?</p> <p>21 A. No.</p> <p>22 Q. Do you remember any comments he made about 23 where the boundaries were or anything of that 24 nature?</p>

<p style="text-align: right;">Page 22</p> <p>1 A. No.</p> <p>2 Q. To your knowledge, did Mr. Moore speak to</p> <p>3 anyone in Springfield at any time himself about the</p> <p>4 redistricting and how the lines were drawn?</p> <p>5 MS. LIGHTFOOT: Beyond what he's just</p> <p>6 testified to?</p> <p>7 MR. BRUCE: Well, I don't think he</p> <p>8 testified that he talked to anybody.</p> <p>9 BY MR. BRUCE:</p> <p>10 Q. Did Mr. Moore, to your knowledge, talk to</p> <p>11 anybody when he was in President Cullerton's --</p> <p>12 A. I don't know.</p> <p>13 Q. Okay. I --</p> <p>14 A. I interrupted. Go ahead and ask the</p> <p>15 question.</p> <p>16 Q. Yeah. I understood you to say that</p> <p>17 Mr. Moore was shown the proposed sixth district map</p> <p>18 in the map room; is that correct?</p> <p>19 A. That's my understanding.</p> <p>20 Q. That's what he told you?</p> <p>21 A. That's correct.</p> <p>22 Q. Was it your understanding that Mr. Moore</p> <p>23 spent any time talking to President Cullerton about</p> <p>24 the substance of the map issue at all?</p>	<p style="text-align: right;">Page 24</p> <p>1 BY MR. BRUCE:</p> <p>2 Q. No. Do you have any firsthand knowledge</p> <p>3 as to the intent of any of the individuals that</p> <p>4 actually created the map that was passed in</p> <p>5 Springfield?</p> <p>6 A. No.</p> <p>7 Q. Has anybody ever told you at any time that</p> <p>8 the Congressional lines were drawn to intentionally</p> <p>9 discriminate against any minority?</p> <p>10 MS. LIGHTFOOT: You can answer that</p> <p>11 question yes or no.</p> <p>12 BY THE WITNESS:</p> <p>13 A. No.</p> <p>14 BY MR. BRUCE:</p> <p>15 Q. Has anyone ever told you at any time that</p> <p>16 the Congressional map that was ultimately adopted</p> <p>17 and passed in Illinois was intentionally drawn to</p> <p>18 discriminate against Latinos?</p> <p>19 MS. LIGHTFOOT: You can answer that</p> <p>20 question yes or no.</p> <p>21 BY THE WITNESS:</p> <p>22 A. No.</p> <p>23 BY MR. BRUCE:</p> <p>24 Q. If you -- Congressman, I want to turn to a</p>
<p style="text-align: right;">Page 23</p> <p>1 A. I understand that they had a conversation.</p> <p>2 I don't know the duration of it.</p> <p>3 Q. Okay. And you don't know what they talked</p> <p>4 about?</p> <p>5 A. They talked about the -- what I</p> <p>6 essentially relayed to you a couple minutes ago.</p> <p>7 Q. He's able to see the proposed map and he</p> <p>8 can't take any notes?</p> <p>9 A. That's right.</p> <p>10 Q. Anything else that you recall that</p> <p>11 Mr. Moore told you?</p> <p>12 A. Not that I can recall.</p> <p>13 Q. Sir, do you know who -- which individuals</p> <p>14 ultimately drew the map that was adopted in</p> <p>15 Springfield and passed into law?</p> <p>16 A. I don't know.</p> <p>17 Q. Do you know the intent of any of the</p> <p>18 individuals in terms of why they put various</p> <p>19 Congressional lines and boundaries in the map that</p> <p>20 was ultimately adopted?</p> <p>21 MS. LIGHTFOOT: Object.</p> <p>22 BY THE WITNESS:</p> <p>23 A. Are you asking am I in the minds of those</p> <p>24 people?</p>	<p style="text-align: right;">Page 25</p> <p>1 different kind of -- line of questions. Well,</p> <p>2 before we do, have I exhausted your recollection of</p> <p>3 conversations with anyone that was involved in</p> <p>4 drawing the map that was ultimately passed into</p> <p>5 law, or are there other conversations that you had</p> <p>6 that we have not talked about here today?</p> <p>7 MS. LIGHTFOOT: One moment. Can you have</p> <p>8 that read back to me, please?</p> <p>9 (Record read.)</p> <p>10 MS. LIGHTFOOT: Counsel, is your question</p> <p>11 with the caveat outside of any privileged</p> <p>12 communications, or are you -- are you including</p> <p>13 that as well?</p> <p>14 MR. BRUCE: I -- in fairness to me, I</p> <p>15 think I'm asking about any conversations.</p> <p>16 MS. LIGHTFOOT: All right. I'm going to</p> <p>17 instruct you, Congressman Roskam, that you can</p> <p>18 answer the question yes or no as to if you had any</p> <p>19 other conversations and we'll take it step-by-step</p> <p>20 because I think the question intentionally imposes</p> <p>21 upon privileged communications.</p> <p>22 THE WITNESS: Could you ask me the</p> <p>23 question again?</p> <p>24 MR. BRUCE: I think it was a good one,</p>

<p style="text-align: right;">Page 26</p> <p>1 Congressman, so I'll have her read it back.  2 THE WITNESS: Okay.  3 MR. BRUCE: Sometimes if they're not good,  4 I rephrase. I think it's a decent one. She'll  5 read it back, and you'll tell me whether it's  6 decent or not.  7 (Record read.)  8 BY THE WITNESS:  9 A. I'm confused by your question. Are you  10 asking me about people in Springfield that have --  11 that drew the map --  12 BY MR. BRUCE:  13 Q. Yes.  14 A. -- or the entire universe of people?  15 Q. The people in Springfield.  16 A. We've exhausted my memory.  17 Q. Okay. I just want to be clear. What I'm  18 asking you is, have you now told me today all of  19 the conversations that you can recall with anyone  20 that was in any way potentially involved in drawing  21 the map that you're taking issue with here today?  22 A. Yes. We've exhausted my memory.  23 Q. And is there any document, email, or  24 correspondence that would refresh your recollection</p>	<p style="text-align: right;">Page 28</p> <p>1 A. I'm not sure I'm following you.  2 MS. LIGHTFOOT: So if I may, counsel --  3 MR. BRUCE: Yeah, absolutely.  4 MS. LIGHTFOOT: -- direct him?  5 THE WITNESS: This?  6 BY MR. BRUCE:  7 Q. Yes.  8 A. Right. This is my understanding of the  9 map that passed in Springfield.  10 Q. Okay.  11 A. The sixth district.  12 Q. Okay. And do you live in the newly-passed  13 Sixth Congressional District?  14 A. Yes.  15 Q. And are there any other sitting  16 Congressmen that are currently in the new Sixth  17 Congressional District?  18 A. No.  19 Q. Are there any Democratic Congressmen that  20 are in the new Sixth Congressional District?  21 A. No.  22 Q. Do you intend on running for Congress  23 during the next term?  24 A. Yes.</p>
<p style="text-align: right;">Page 27</p> <p>1 about any other conversations that you may have had  2 with anyone that was in any way involved in the  3 map-making process?  4 A. No.  5 Q. There's nothing that would refresh your  6 recollection; is that correct?  7 A. That's correct.  8 (Roskam Deposition Exhibit Nos. 1 and  9 2 marked for identification, 9-29-11.)  10 BY MR. BRUCE:  11 Q. Okay. I'd like to talk to you now  12 about -- briefly about some of these -- the  13 districts.  14 As I understand it, if you turn to that  15 little booklet that I gave you, Exhibit Number 2,  16 that's the district -- the Sixth Congressional  17 District that you currently represent; is that  18 correct?  19 A. That's correct.  20 Q. Okay. And then what should be tabbed as  21 Exhibit -- well, attached to Exhibit Number 2,  22 there's a third page. And is that the district  23 that was passed into law representing the new Sixth  24 Congressional District?</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. And will you be running in the Sixth  2 Congressional District if this map is upheld?  3 MS. LIGHTFOOT: Object to the form,  4 relevance.  5 BY MR. BRUCE:  6 Q. Do you understand my question?  7 A. Yes. I understand your question. Yes, I  8 would intend to run.  9 Q. Okay. What I'm establishing is if the --  10 if your lawsuit is unsuccessful and the map that  11 has been passed into law is upheld, you'll be --  12 your intention is to run for this Congressional  13 seat that's the new Sixth Congressional District?  14 MS. LIGHTFOOT: Object to the form,  15 relevance.  16 BY THE WITNESS:  17 A. Yes.  18 BY MR. BRUCE:  19 Q. And is it your understanding that you  20 would not be running against any incumbent  21 Congressmen?  22 MS. LIGHTFOOT: Object to the form, calls  23 for speculation.  24</p>

<p style="text-align: right;">Page 30</p> <p>1 BY THE WITNESS: 2 A. Correct. 3 BY MR. BRUCE: 4 Q. All right. Have you read any -- I mean, 5 this is something that's probably of interest to 6 you. Have you read any newspaper articles or seen 7 any media that would suggest that any sitting 8 incumbent Congressman intends on running against 9 you?</p> <p>10 MS. LIGHTFOOT: Object to the form, 11 relevance.</p> <p>12 BY THE WITNESS: 13 A. There was some early speculation, and I 14 think at this point it's been reconciled and that's 15 not likely to happen, so no.</p> <p>16 BY MR. BRUCE: 17 Q. And who was it that was early thought that 18 might run against you?</p> <p>19 MS. LIGHTFOOT: Objection; relevance.</p> <p>20 BY THE WITNESS: 21 A. Joe Walsh.</p> <p>22 BY MR. BRUCE: 23 Q. Okay. And have you spoken to 24 Congressman Walsh about that yourself?</p>	<p style="text-align: right;">Page 32</p> <p>1 Congressional district six map which was passed in 2 Springfield is predominantly Republican? 3 MS. LIGHTFOOT: Objection.</p> <p>4 BY THE WITNESS: 5 A. Yes.</p> <p>6 BY MR. BRUCE: 7 Q. And do you have, from any source, the 8 knowledge of the proportion of Republicans versus 9 Democrats in the newly-drawn sixth district?</p> <p>10 MS. LIGHTFOOT: Congressman, let me just 11 caution you, if the answer to that question would 12 be -- tend to reveal communications or information 13 that you learned in the context of your privileged 14 communication with counsel, I instruct you not to 15 answer it. If you otherwise have an independent 16 basis on which you can answer that question, feel 17 free to do so.</p> <p>18 BY THE WITNESS: 19 A. I have no other independent basis.</p> <p>20 BY MR. BRUCE: 21 Q. Other than what you've been told by your 22 lawyers?</p> <p>23 A. That's right.</p> <p>24 MS. LIGHTFOOT: Object to the form of the</p>
<p style="text-align: right;">Page 31</p> <p>1 MS. LIGHTFOOT: Objection; relevance.</p> <p>2 BY THE WITNESS: 3 A. No, no.</p> <p>4 BY MR. BRUCE: 5 Q. Okay. But he said in the press he's not 6 running against you?</p> <p>7 A. That's correct.</p> <p>8 Q. Okay. He said in the press that he's 9 going to run against who, if anyone?</p> <p>10 MS. LIGHTFOOT: Objection; relevance.</p> <p>11 BY THE WITNESS: 12 A. Congressman Hultgren.</p> <p>13 BY MR. BRUCE: 14 Q. Okay. Is -- the Sixth Congressional 15 District map that has been drawn in Springfield, do 16 you know the breakdown of Republicans versus 17 Democrats in that map?</p> <p>18 A. No.</p> <p>19 Q. Has anybody done an analysis on your 20 behalf regarding that fact?</p> <p>21 A. I'm sure I've had people that have looked 22 at it and studied it.</p> <p>23 Q. Is -- here, let me just ask you a basic 24 question. Is it your understanding that the</p>	<p style="text-align: right;">Page 33</p> <p>1 question.</p> <p>2 BY MR. BRUCE: 3 Q. And do you use a pollster?</p> <p>4 A. I do.</p> <p>5 Q. And do you always use the same pollster or 6 different pollsters?</p> <p>7 A. Always the same.</p> <p>8 Q. Who do you use?</p> <p>9 A. Glen Bolger.</p> <p>10 Q. In Washington?</p> <p>11 MS. LIGHTFOOT: Object to the relevance of 12 the question.</p> <p>13 BY THE WITNESS: 14 A. Yes.</p> <p>15 BY MR. BRUCE: 16 Q. Okay. When is the last time that polling 17 agency has done any polling on your behalf?</p> <p>18 MS. LIGHTFOOT: Objection; relevance.</p> <p>19 BY THE WITNESS: 20 A. I don't recall.</p> <p>21 BY MR. BRUCE: 22 Q. From what you've told me, you didn't have 23 any involvement in the drawing of the map that 24 you're taking issue with; is that true?</p>

<p style="text-align: right;">Page 34</p> <p>1 A. That's true.</p> <p>2 Q. Have you spoken to any Democratic</p> <p>3 Congressmen at all about either the -- the process</p> <p>4 which led to the map being adopted that you're</p> <p>5 taking issue with either before or after the map</p> <p>6 was adopted?</p> <p>7 A. Yes.</p> <p>8 Q. Who did you speak to?</p> <p>9 A. Congressman Lipinski.</p> <p>10 Q. And which Congress- -- Congressman</p> <p>11 Lipinski are you referring to, the father or the</p> <p>12 son?</p> <p>13 A. The son, Congressman Dan Lipinski.</p> <p>14 Q. Certainly.</p> <p>15 Did you have one conversation with him or</p> <p>16 more than one?</p> <p>17 A. One conversation that I recall.</p> <p>18 Q. And was that before or after the map was</p> <p>19 adopted?</p> <p>20 A. Before.</p> <p>21 Q. And who initiated that conversation?</p> <p>22 A. I did.</p> <p>23 Q. And why did you do that?</p> <p>24 A. In a playful conversation. I -- I just</p>	<p style="text-align: right;">Page 36</p> <p>1 anyone else in the Democratic Illinois delegation</p> <p>2 about the redistricting process?</p> <p>3 A. No.</p> <p>4 Q. Have you ever spoken to any United States</p> <p>5 senators at any time about the redistricting</p> <p>6 process?</p> <p>7 A. No.</p> <p>8 Q. Have you ever spoken to Speaker Madigan,</p> <p>9 Congresswoman Schakowsky, or Senator Durbin at any</p> <p>10 time regarding the redistricting process or the map</p> <p>11 that was ultimately adopted?</p> <p>12 MS. LIGHTFOOT: Object to the form.</p> <p>13 BY THE WITNESS:</p> <p>14 A. No.</p> <p>15 BY MR. BRUCE:</p> <p>16 Q. There were a number of redistricting</p> <p>17 committee hearings here in Illinois hosted by both</p> <p>18 the House and the Senate. Let me first ask you,</p> <p>19 are you aware of that fact?</p> <p>20 A. I'm aware that there was a schedule, yes.</p> <p>21 Q. Okay. Did you attend any of those</p> <p>22 redistricting committee hearings yourself?</p> <p>23 A. No.</p> <p>24 Q. Did you ever at any time send anyone to</p>
<p style="text-align: right;">Page 35</p> <p>1 initiated a chat with him.</p> <p>2 Q. And was that in Congress itself?</p> <p>3 A. It was on the floor of the House of</p> <p>4 Representatives.</p> <p>5 Q. Certainly.</p> <p>6 And when was that?</p> <p>7 A. I don't recall.</p> <p>8 Q. And playfully, what did you say to him and</p> <p>9 what did he say to you about the redistricting?</p> <p>10 A. Playfully what I said was it's all about</p> <p>11 him; that he was the only member of Congress that,</p> <p>12 with any certainty, was going to be coming back to</p> <p>13 Washington; that every other member of Congress was</p> <p>14 largely interchangeable in terms of the leadership</p> <p>15 in Springfield and that he was the beneficiary of a</p> <p>16 close relationship with the Speaker of the House,</p> <p>17 Mike Madigan, and I congratulated him on his</p> <p>18 certainty in coming back.</p> <p>19 Q. And what was his response to that?</p> <p>20 A. A playful shrug.</p> <p>21 Q. He didn't -- he did not respond vocally?</p> <p>22 A. Not that I recall.</p> <p>23 Q. All right. And have you had any other</p> <p>24 conversations either with Congressman Lipinski or</p>	<p style="text-align: right;">Page 37</p> <p>1 attend those committee hearings on your behalf?</p> <p>2 A. No.</p> <p>3 Q. Did you ever at any time attempt to</p> <p>4 provide the redistricting committees with any</p> <p>5 alternative maps or information that they could</p> <p>6 rely upon to formulate a map?</p> <p>7 A. No.</p> <p>8 Q. Do you agree with me nothing would have</p> <p>9 precluded you from doing so?</p> <p>10 MS. LIGHTFOOT: Object to the form,</p> <p>11 assumes facts not in evidence.</p> <p>12 BY THE WITNESS:</p> <p>13 A. I just got confused by your question. The</p> <p>14 question is, do I agree with you that nothing would</p> <p>15 have precluded me from doing that?</p> <p>16 BY MR. BRUCE:</p> <p>17 Q. That's the question.</p> <p>18 A. Nothing would have precluded me, but it</p> <p>19 wouldn't have been very fruitful, in my view.</p> <p>20 So in answer to your question, nothing</p> <p>21 would have precluded me.</p> <p>22 Q. All right. And whether or not it would</p> <p>23 have been fruitful you don't know because you</p> <p>24 didn't do it; is that a fair statement?</p>

<p style="text-align: right;">Page 38</p> <p>1 MS. LIGHTFOOT: Object to the form, 2 mischaracterizes the witness' prior testimony. 3 BY THE WITNESS: 4 A. I think I do know. I think based on the 5 conversations that I had with Senator Cullerton, it 6 was clear that there was an agenda to move a map 7 forward that was going to create a great advantage 8 to the Democrats and they weren't interested in 9 substantive input into it. That's why I didn't 10 agree to reach out to Republicans to have them vote 11 in favor of it. 12 Q. So could I have offered input? I could 13 have. I think the political reality was that 14 decisions had largely been made at that point and 15 it wasn't fruitful. 16 BY MR. BRUCE: 17 Q. Do you hold an opinion, Congressman, that 18 this map that was ultimately adopted was 19 intentionally drawn to politically favor the 20 Democratic Congressional delegation? 21 A. I do. 22 Q. And what's the basis of that opinion? 23 A. I think Senator Cullerton's comment to me 24 that Judy Biggert is gone under the map, the</p>	<p>1 A. Yes. 2 Q. How many? 3 A. One. 4 Q. And when and where was that? 5 A. It was a fundraiser for the committee 6 earlier this year. 7 Q. Where was it? 8 A. It was at a home on the North Side of 9 Chicago. 10 Q. Whose home was it in? 11 A. It was at the home of Don Wilson. 12 Q. And do you recall who was in attendance? 13 A. I recall Mr. Wilson and his wife. I 14 recall Lynn Martin. I recall Lisa Wagner. And 15 that's -- that's all I recall. 16 Q. And about how many people were there? 17 A. I would estimate 30. 18 Q. Did you recognize any Democrats that 19 you -- individuals that you knew to be Democrats at 20 the committee? 21 A. No. 22 Q. A poorly phrased question. I apologize. 23 At the function that you were referring to, did you 24 see anyone that you recognized to be a Democrat?</p>
<p style="text-align: right;">Page 39</p> <p>1 decision to put Congresswoman Biggert's home into 2 Mike Quigley's Congressional district linking 3 Hinsdale to the lakefront, the decision to put Bob 4 Dold's home into Congresswoman Jan Schakowsky's 5 district, the decision to pair up Don Manzullo and 6 Adam Kinzinger, the decision to put Adam 7 Kinzinger's home in Jesse Jackson's district, and 8 the fact that no Democrats who are currently 9 serving are in any serious jeopardy of re-election 10 led me to my conclusion. 11 Q. And it's your opinion that's why the map 12 was drawn the way it was? 13 A. Yes. 14 Q. I'd like to switch gears, Congressman, and 15 I'd like to ask you some questions about this 16 committee that's one of the named Plaintiffs. 17 Do you know anything about this committee? 18 A. I know the committee exists. I know it's 19 incorporated. I know a few members of the 20 committee. 21 Q. Are you a member of the committee? 22 A. No. 23 Q. Have you ever gone to any committee 24 meetings?</p>	<p>1 A. No. I recall Judy Biggert was there. 2 Q. And how did the committee form, if you 3 know? 4 A. I don't know. 5 Q. All of the Congressmen and women who are 6 Plaintiffs to this lawsuit are Republican; is that 7 true? 8 A. That's correct. 9 Q. Are you a lifelong Republican? 10 A. For as long as I've been politically 11 active, yes. 12 Q. Can you tell me the names of any 13 individuals that are Plaintiffs that are not 14 Republicans? 15 A. I don't know. 16 Q. Have you read the complaint? 17 A. Yes. 18 Q. Was there any aspect of the complaint that 19 you disagreed with? 20 A. No. 21 Q. There's some individuals -- and I'll be 22 happy to show you. There's some -- there's some 23 non-Congressional named Plaintiffs. I was just 24 going to ask you if you knew any of those</p>

1 individuals. And I'm sorry, Congressman. For some  
 2 reason, that wasn't included in your packet and I  
 3 apologize.

4 MS. LIGHTFOOT: Counsel, I can share  
 5 from --

6 MR. BRUCE: Absolutely.

7 MS. LIGHTFOOT: -- the previous  
 8 deposition --

9 MR. BRUCE: Sure.

10 MS. LIGHTFOOT: -- a copy.

11 MR. BRUCE: And, Congressman, I'm sorry.

12 BY MR. BRUCE:

13 Q. So looking at tab Exhibit 2 to Congressman  
 14 Shimkus' deposition, I believe that's the complaint  
 15 that's been filed in this cause of action. Do you  
 16 recognize that?

17 A. I do.

18 Q. Okay. And the question is, do you know  
 19 any of these named Plaintiffs that are  
 20 non-Congressional?

21 A. No.

22 Q. And do you know how they were chosen to  
 23 become involved in this case?

24 A. No.

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1 Q. And is the map on the right, in your  
 2 opinion, more likely to elect Republican members to  
 3 Congress than the map on the left?

4 A. Yes.

5 Q. And what is the basis of that opinion?

6 MS. LIGHTFOOT: Congressman, I'll just  
 7 caution you, if you have an independent basis  
 8 beyond any communications that you received in the  
 9 context of attorney-client communications, then  
 10 feel free to share that with Mr. Bruce.

11 BY THE WITNESS:

12 A. I don't have an independent basis.

13 BY MR. BRUCE:

14 Q. So from your years of serving in the  
 15 Illinois legislature and now in Congress, you  
 16 cannot look at those two maps and tell me why  
 17 they're more advantageous to Republicans, the one  
 18 on the right, other than receiving information from  
 19 your counsel; is that correct?

20 A. That's correct.

21 Q. Okay. Do you know -- strike that.

22 Have you ever seen at any time any of the  
 23 demographics that correspond with the map on the  
 24 right that's being proffered by the Republican

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1 (Roskam Deposition Exhibit No. 3  
 2 marked for identification, 9-29-11.)

3 BY MR. BRUCE:

4 Q. If you turn to Exhibit Number 3 to your  
 5 deposition --

6 MS. LIGHTFOOT: Over here.

7 THE WITNESS: Oh, okay.

8 BY MR. BRUCE:

9 Q. -- there are -- there are a couple maps.  
 10 Can you see those? They're black and white.

11 A. Yes.

12 Q. All right. If you look at the first page,  
 13 there's a map of the entire state of Illinois, and  
 14 on the left, there's a map, I believe. Is that the  
 15 map that was your understanding was ultimately  
 16 adopted?

17 A. Yes, in Springfield.

18 Q. Yeah. And what's the map on the right?

19 A. The map on the right is the product of the  
 20 fair and balanced committee.

21 Q. And -- well, is that the map that's --  
 22 that's being proffered by the Republican  
 23 Congressional delegation, to your knowledge?

24 A. Yes.

1 Congressional delegation?

2 MS. LIGHTFOOT: You can answer that  
 3 question yes or no.

4 BY THE WITNESS:

5 A. What do you mean by demographics?

6 BY MR. BRUCE:

7 Q. Have you ever seen any cultural, racial  
 8 makeup of any of the districts that are --  
 9 correspond with the -- with the map on the right of  
 10 Exhibit 3?

11 A. I've not seen anything independent of  
 12 things that have been provided by counsel.

13 Q. Do you have any independent knowledge of  
 14 the composition -- the Latino composition of these  
 15 Congressional districts that are being proffered on  
 16 the map on the right other than what your lawyers  
 17 have shown you?

18 A. No.

19 MS. LIGHTFOOT: Object to the form.

20 BY MR. BRUCE:

21 Q. Do you know whether the map on the right  
 22 of Exhibit Number 3 provides for two majority VAP  
 23 Latino districts?

24 MS. LIGHTFOOT: Object to the form.

<p>1 BY MR. BRUCE:</p> <p>2 Q. Do you know one way or the other?</p> <p>3 A. I don't know this beyond what I've been</p> <p>4 told by counsel.</p> <p>5 Q. Have you ever made any independent inquiry</p> <p>6 of that?</p> <p>7 A. No.</p> <p>8 Q. Am I correct, Congressman, that -- well,</p> <p>9 tell me, is there a -- strike that.</p> <p>10 In your current or future Sixth</p> <p>11 Congressional District, either one, the one you're</p> <p>12 representing now or in the future, what's the</p> <p>13 population of Latino voters over the age of 18?</p> <p>14 MS. LIGHTFOOT: Object to the form,</p> <p>15 foundation.</p> <p>16 MR. BRUCE: If you know.</p> <p>17 BY THE WITNESS:</p> <p>18 A. I don't know a number off the top of my</p> <p>19 head.</p> <p>20 BY MR. BRUCE:</p> <p>21 Q. Okay. Is it a rather small or de minimus</p> <p>22 number?</p> <p>23 MS. LIGHTFOOT: Object to the form and</p> <p>24 calls for speculation based upon his previous</p>	<p>Page 46</p> <p>1 to answer the question of what you told him or not?</p> <p>2 MS. LIGHTFOOT: Of course not.</p> <p>3 MR. BRUCE: Okay.</p> <p>4 BY MR. BRUCE:</p> <p>5 Q. Congressman, I'm starting to wrap up.</p> <p>6 Have you ever seen or been provided any</p> <p>7 draft maps that -- from any source of the map that</p> <p>8 was ultimately adopted in Springfield?</p> <p>9 A. No.</p> <p>10 MR. BRUCE: That's all the questions I</p> <p>11 have. Thank you for coming down today,</p> <p>12 Congressman.</p> <p>13 THE WITNESS: Thank you.</p> <p>14 MS. LIGHTFOOT: Reserve signature.</p> <p>15 THE VIDEOGRAPHER: This is the end of tape</p> <p>16 number 1. This is the end of the deposition. The</p> <p>17 time is 3:27 p.m. The length of this tape is</p> <p>18 41 minutes, three seconds.</p> <p>19 We're off the record.</p> <p>20 (AND FURTHER DEPONENT SAITH NOT.)</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p>1 answer.</p> <p>2 BY MR. BRUCE:</p> <p>3 Q. I don't want you to speculate. I'm</p> <p>4 assuming that you know your own Congressional</p> <p>5 district. Why don't we just confine my question to</p> <p>6 the district that you're sitting in now, okay?</p> <p>7 A. Okay.</p> <p>8 Q. In that district, is the Latino population</p> <p>9 small or de minimus or do you know?</p> <p>10 A. I wouldn't describe it as de minimus. I</p> <p>11 mean, how would you characterize de minimus?</p> <p>12 Q. I don't know. I'm trying to get that -- I</p> <p>13 was searching for a percentage from you, if you</p> <p>14 knew.</p> <p>15 A. My understanding is that it's less than</p> <p>16 10 percent.</p> <p>17 Q. Okay. And do you have any idea as you sit</p> <p>18 here today what the newly-passed Sixth</p> <p>19 Congressional District Latino population over the</p> <p>20 age of 18 is?</p> <p>21 A. No, not with any information beyond what</p> <p>22 counsel has given me.</p> <p>23 Q. All right.</p> <p>24 MR. BRUCE: And are you going to allow him</p>	<p>Page 47</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHERN DISTRICT OF ILLINOIS</p> <p>3 EASTERN DIVISION</p> <p>4 COMMITTEE FOR A FAIR AND )</p> <p>5 BALANCED MAP, et al., )</p> <p>6 vs. ) Plaintiffs, ) No. 1:11-cv-5065</p> <p>7 ILLINOIS STATE BOARD OF )</p> <p>8 ELECTIONS, et al., )</p> <p>9 Defendants. )</p> <p>10 I hereby certify that I have read the</p> <p>11 foregoing transcript of my deposition given on</p> <p>12 September 29, 2011, at the time and place</p> <p>13 aforesaid, consisting of Pages 1 through 48</p> <p>14 inclusive and I do again subscribe and make oath</p> <p>15 that the same is a true, correct and complete</p> <p>16 transcript of my deposition so given as aforesaid.</p> <p>17 Please check one:</p> <p>18 <input type="checkbox"/> I have submitted errata sheet(s)</p> <p>19 <input type="checkbox"/> No corrections were noted</p> <p>20 SUBSCRIBED AND SWORN TO</p> <p>21 before me this ____ day</p> <p>22 of _____, A.D., 2011.</p> <p>23 Notary Public</p> <p>24</p>

<p>1 STATE OF ILLINOIS )  2 ) SS.  3 COUNTY OF COOK )  4  5 I, CARYL L. HARDY, Certified Shorthand  6 Reporter No. 084-3896, Notary Public in and for the  7 County of Cook, State of Illinois, do hereby  8 certify that previous to the commencement of the  9 examination, said witness was duly sworn by me to  10 testify the truth; that the said deposition was  11 taken at the time and place aforesaid; that the  12 testimony given by said witness was reduced to  13 writing by means of shorthand and thereafter  14 transcribed into typewritten form; and that the  15 foregoing is a true, correct, and complete  16 transcript of my shorthand notes so taken as  17 aforesaid.  18 I further certify that there were present  19 at the taking of the said deposition the persons  20 and parties as indicated on the appearance page  21 made a part of this deposition.  22 I further certify that I am not counsel  23 for nor in any way related to any of the parties to  24 this suit, nor am I in any way interested in the  outcome thereof.</p>	<p>Page 50  1 October 7, 2011  2 Ms. Lori E. Lightfoot  3 Mayer Brown, LLP  4 71 South Wacker Drive  5 Chicago, Illinois 60606  6 Re: Committee for a Fair and Balanced Map, et al.,  vs. IL State Board of Elections, et al.  7 Case No. 1:11-cv-5065  8 Dear Ms. Lightfoot:  9 Enclosed please find a copy of the deposition  transcript of Congressman Peter Roskam taken in the  above-captioned case on the 29th day of September,  2011, along with the original copy of the signature  10 page and errata sheets for the witness to sign.  11 Please have the witness review his transcript, making  whatever corrections he may have only on the errata  12 sheets I have provided, not on the deposition  transcript.  13 After he has reviewed his deposition, please have  14 him sign each correction sheet, if any, at the  bottom of the page and sign the signature pages.  15 Then, within 30 days of today, return the original  copy of the signature page and errata sheets, if  16 any, to my office, keeping a copy for yourself. If  they are not returned by said date, upon request an  17 affidavit will be provided pursuant to the procedure  outlined in Rule 30(e) of the Rules of Civil  18 Procedure and the deposition will be completed and  will be "used as fully as though signed."  19 Thank you for your cooperation in this matter. If  20 you have any questions, please do not hesitate to  call me.  21 Sincerely,  22 Caryl L. Hardy  23 Enclosures  24</p>
<p>Page 51  1  2 I further certify that this certificate  3 applies to the original signed and certified  4 transcripts only. I assume no responsibility for  5 the accuracy of any reproduced copies not made  under my control or direction.  6  7 IN TESTIMONY WHEREOF I have hereunto set  8 my hand and affixed my notarial seal this 7th day  of October, A.D., 2011.  9  10   11 Caryl L. Hardy, CSR  12  13 My Commission Expires  14 January 31, 2012  15  16  17  18  19  20  21  22  23  24</p>	